

CITY OF EUREKA
CITY COUNCIL / EUREKA REDEVELOPMENT AGENCY
AGENDA

Regular Council/Agency Meeting
Tuesday, February 3, 2009
Closed Session - 5:30 P.M.
Regular Session - 6:30 P.M.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET
EUREKA, CA 95501

Adjourned Council/Agency Mtg.
Thursday, February 5, 2009
Closed Session - 5:30 P.M.
Regular Session - 6:30 P.M.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET, EUREKA

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

1. We may disagree, but we will be respectful of one another.
2. All comments will be directed to the issue at hand.
3. Personal attacks are unacceptable.

ACCESSIBILITY NOTICE: The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 in advance of the meeting. This agenda and other materials are available in alternative formats upon request.

ROLL CALL

CLOSED SESSION NOTE: Closed Session will commence at 5:30 P.M. with a 6:25 P.M. curfew.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of case: United States v. City of Arcata, et al., N. Dist. Federal Court,
Case No. C085725

Pursuant to California Government Code Section 54956.9(a)

C. CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: David Tyson for City of Eureka
Employee organization: Unrepresented management, mid-management,
and confidential employees.

Pursuant to California Government Code Section 54957.6

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN 1-054024, 1-054-25

Agency negotiator: David W. Tyson for the City of Eureka

Negotiating Parties: Eureka Waterfront Partners

Under negotiation: price, terms, and conditions

Pursuant to California Government Code Section 54956.8

E. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Consideration of initiation of litigation: two cases.

Pursuant to Calif. Gov't Code Section 54956.9(c)

REGULAR SESSION – 6:30 P.M.

ROLL CALL

INVOCATION - Nancy Only, Spiritual Leader, Unity Church of the Redwoods

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

Councilmember Atkins: League of California Cities Conference

BOARD/COMMISSION REPORTS

Keep Eureka Beautiful – Award of Merit to Father Loren Allen, St. Bernard's Church

PUBLIC COMMENT PERIOD

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

1. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

2. Council meeting minutes.

Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of January 20, 2009 as submitted.

(City Clerk)

3. Claim for damages – Priddy, Michael.

Recommendation: Reject the claim for damages – Priddy, Michael.

(City Attorney)

4. Purchase of (3) 2009 Honda ST1300 Police Motorcycles.
Recommendation:
 1. Approve the purchase of (3) Honda ST1300 Police Motorcycles from Pacific Motorsports
 2. Appropriate \$15,500 in the Traffic Offender Fund, and \$7,917 in the General Fund.
(Chief of Police)
5. Fourth Quarter FY 07/08 Investment Report for the City of Eureka and Eureka Redevelopment Agency.
Recommendation: Receive and file the Quarterly Investment Report from September through December 2008 for the City of Eureka and the Eureka Redevelopment Agency.
(Finance Director)
6. Water Improvements 2009.
Recommendation: Authorize staff to create a new project for the Water Improvements Project 2009, and transfer funds into a new project account in preparation for preparing plans and specifications for construction.
(City Engineer)
7. Biosolids Dewatering Facility – Phase 2 for Wastewater Treatment Plant Professional Services Contract.
Recommendation: Authorize staff to negotiate and execute a contract with SHN Consulting Engineers and Geologists and their project team for Engineering Design of Phase 2 of the Biosolids Dewatering Facility at the Elk River Wastewater Treatment plant in order to have a 'shovel ready' project in anticipation of the forthcoming Federal Economic Stimulus package, for an amount not to exceed \$160,000.
(City Engineer)

8. Mad River Pipeline Project – Phase 4.

Recommendation: Authorize staff to negotiate and execute an agreement for engineering design and geotechnical investigation for Phase 4 of the Mad River Pipeline project in order to have a 'shovel ready' project in anticipation of the forthcoming Federal Economic Stimulus package, with Oscar Larson and Associates of Eureka for an amount not to exceed \$150,000.

(City Engineer)

ORDINANCES/RESOLUTIONS

9. Sewer Use Ordinance Amendment.

Recommendation: Waive reading, read by title only, and adopt Bill No. 800-C.S., an ordinance amending Eureka Municipal Code Title V, Chapter 50, amending Sections 50.001 through 50.999 and adding new Sections 50.040 through 50.046 pertaining to Sewers.

(Assistant City Manager-Operations)

10. Intent to adopt CalPERS retirement service credit resolution and approve corresponding organizational adjustments.

Recommendation: 1. Give notice of the intent to adopt the necessary CalPERS resolution for City council approval granting two (2) years early retirement service credit;
2. Approve the granting of two (2) years of City-paid health insurance as an early retirement incentive to the Police Services Officer and Asst. Finance Director positions;
3. Authorize an exemption from the hiring freeze for the Senior Personnel Analyst (or lower level) position;
4. Authorize an exemption from the hiring freeze for the reclassified Finance Office Manager position (former Assistant Finance Director position) and Personnel to review, determine, and implement the appropriate reclassification of Finance Department personnel necessary to achieve the desired organizational changes.

(Personnel Director)

REPORTS/ACTION ITEMS

11. Request for exception to the hiring freeze – Engineering Technician I/II.
Recommendation: Approve the exception to the hiring freeze for the Engineering Technician I/II position, which is already included in the FY 08/09 budget.
(Personnel Director)
 12. Humboldt Bay Municipal Water District.
Recommendation: Authorize the Mayor to send a letter supporting Councilmember Leonard's application to the Water Resources Planning Advisory Committee.
(City Manager)
 13. Presentation by Dr. Ann Lindsay, Humboldt County Health Department, regarding health impact assessment of County General Plan update.
(Councilmember Glass)
 14. Community Garden expansion.
Recommendation: Discuss and provide staff direction on exploring the expansion of the current Community Garden and identification of possible locations for future community gardens.
(Councilmember Atkins)
 15. Police Auditor.
Recommendation: Provide direction regarding retaining the services of an independent Police Auditor for the City of Eureka.
(City Manager)
 16. Campaign Finance reform.
Recommendation: Provide direction to City staff related to campaign finance reform options.
(Councilmember Leonard)
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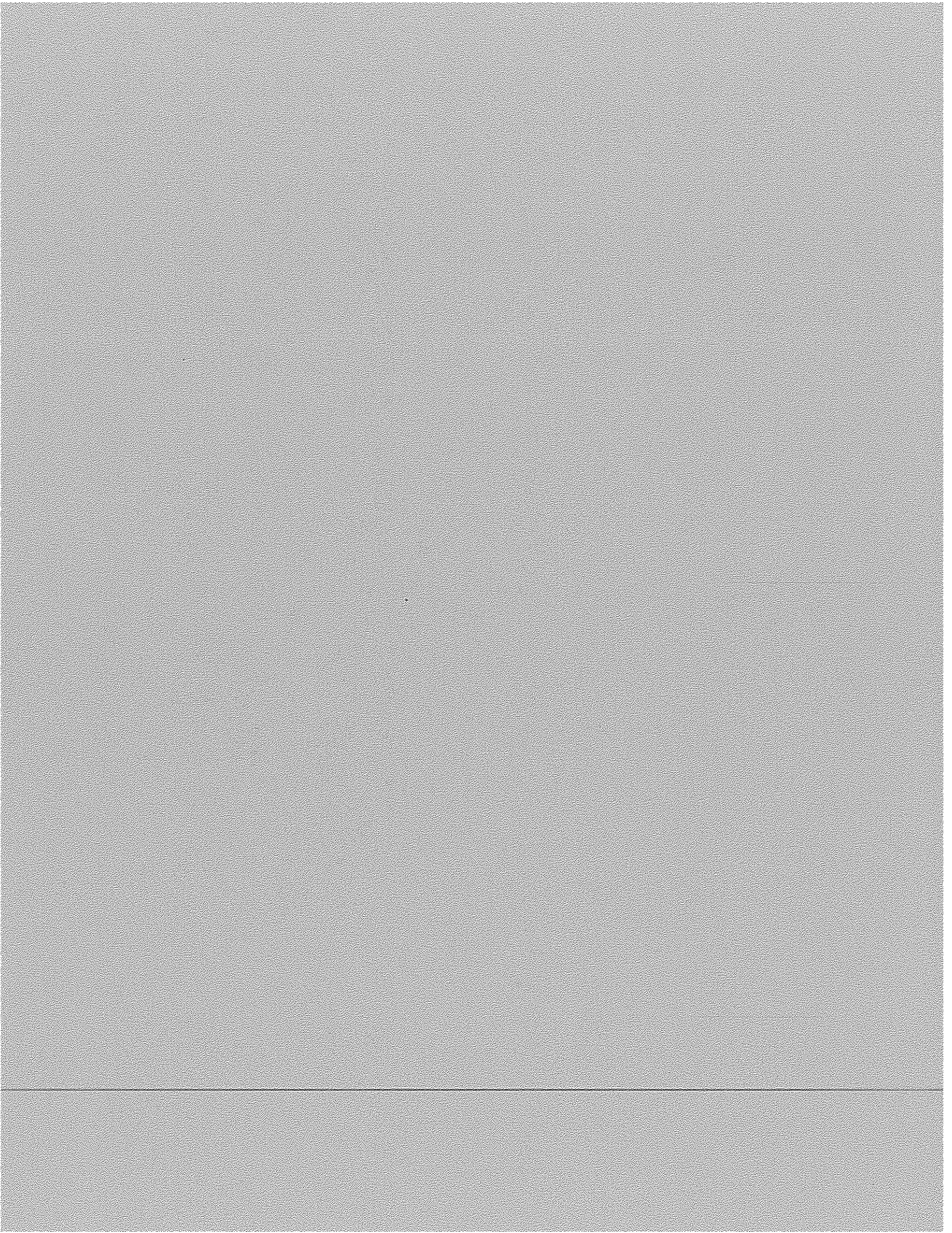
CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

ADJOURNMENT

NOTE: If open session items cannot be completed by 10:00 P.M., the meeting will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

If closed session items cannot be completed by 6:25 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

<p>NOTICE: Any writing that is a public record not exempt from public disclosure and relating to an agenda item for an open session of a regular meeting of the City Council is available for public inspection at the following designated location: Office of the City Clerk</p> <p>Eureka City Hall 531 "K" Street, Room 207 Eureka, CA 95501</p>
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AGENDA SUMMARY

RE: Priddy, Michael

FOR AGENDA DATE: Feb. 3, 2009

AGENDA ITEM NO.:

3

RECOMMENDATION:

Reject the claim for damages.

SUMMARY:

Tort claim in which claimant alleges the City's practice of charging \$1.50 fee for online water bill payment discriminates against the disabled.


PROCEDURE:

The proposed rejection of a claim is one step in what is typically a multi-step process, as provided for by the City Municipal Code, and the City tort claims and review process. Unless the claim is patently due and payable to the claimant, all claims are

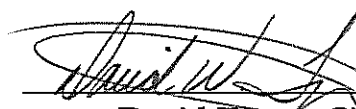
(Continued...)

FISCAL IMPACT: Claimant seeks \$1,000,000.00

DEPARTMENT HEAD SIGNATURE:



Sheryl L. Schaffner, City Attorney



David Tyson, City Manager

REVIEWED BY:

DATE:

INITIALS:

Risk Manager

1/13/09

PJP

Director of Finance

1/16/09

V. W.

COUNCIL ACTION:

ORDINANCE NO. _____

RESOLUTION NO. _____

AGENDA SUMMARY

RE: Priddy, Michael	FOR AGENDA DATE: Feb. 3, 2008
	AGENDA ITEM NO.:

Continued from previous page...

commonly rejected by the City Council at this phase. The claim is then forwarded to the coverage joint powers authority for any further appropriate action. This might include further investigation of the claim, if any appears indicated, settlement in some cases, or the defense of an ensuing legal action, as the facts and circumstances warrant.

Eureka Municipal Code § 39.22 provides the City Council with the following options:

- *Reject the claim*
- *Allow the claim*
- *Allow the Claim in part, and reject it in part, if the claim is deemed valid, but the amount claimed is found to be incorrect*
- *Reject or compromise the claim if legal liability is disputed*
- *If the City Council allows the claim in whole or in part or compromises the claim, it may require the claimant, if he accepts the amount allowed or offered, to settle the claim, to accept it in settlement of the entire claim.*

In practice, however, the City's discretion in handling claims is somewhat constrained by the City's self-insurance memorandum of coverage with the Redwood Empire Municipal Insurance Fund (REMIF). In order to maintain coverage, the City has agreed to certain terms that are common in coverage agreements, including giving REMIF: the right to control, investigate, settle, or defend any claim that is covered by the coverage agreement.

Staff believes that the proposed rejection of this claim is appropriate at this time, based on currently available information, and is in conformance with the City's agreement with REMIF regarding handling of claims.

File With:
City of Eureka
531 "K" Street
Eureka, CA 95501

**CLAIM FOR MONEY OR
DAMAGES AGAINST THE
CITY OF EUREKA**

RESERVE FOR FILING STAMP

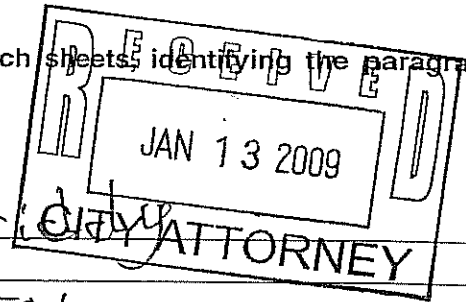
CLAIM NO. 09-001

A claim must be presented, as prescribed by the Government Code of the State of California, by the claimant or a person acting on his/her behalf and shall show the following:

If additional space is needed to provide your information, please attach sheets, identifying the paragraph(s) being answered.

1. Name and Post Office address of the Claimant:

Name of Claimant: Michael James Priority
Post Office Address: 2736 CALIFORNIA
EUREKA, Calif. 95501



2. Post Office address to which the person presenting the claim desires notices to be sent:

Name of Addressee: Above Telephone: 476-8737
Post Office Address: _____

3. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

Date of Occurrence: 1/1/2009 Time of Occurrence: ON-GOING
Location: EUREKA
Circumstances giving rise to this claim:

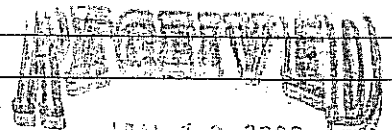
I HAD BEEN ASKING THE CITY OF EUREKA TO ACTIVE
THEIR WEB-LIKE SO THAT I COULD PAY MY WATER
BILL ON LINE BECAUSE OF MY BAD HIPS!

4. General description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim.

THEY WANT TO CHARGE A \$150 TO PAY
MY BILL ON-LINE, I FEEL THIS IS DISCRIMINATION
AGAINST THOSE WITH DISABILITIES

5. The name or names of the public employee or employees causing the injury, damage, or loss, if known.

CITY OF EUREKA.



6. **If amount claimed totals less than \$10,000:** The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Amount Claimed and basis for computation:

\$1,000,000

If amount claimed exceeds \$10,000: If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. A limited civil case is one where the recovery sought, exclusive of attorney fees, interest and court costs does not exceed \$25,000. An unlimited civil case is one in which the recovery sought is more than \$25,000. (See CCP § 86.)

☐ Limited Civil Case

☒ Unlimited Civil Case

You are required to provide the information requested above, plus your signature on page 3 of this form, in order to comply with Government Code §910. In addition, in order to conduct a timely investigation and possible resolution of your claim, the city requests that you answer the following questions.

7. Claimant(s) Date(s) of Birth: _____
8. Name, address and telephone number of any witnesses to the occurrence or transaction which gave rise to the claim asserted: _____

9. If the claim involves medical treatment for a claimed injury, please provide the name, address and telephone number of any doctors or hospitals providing treatment: _____

If applicable, please attach any medical bills or reports or similar documents supporting your claim.

10. If the claim relates to an automobile accident:
- | | |
|------------------------------|-----------------------|
| Claimant(s) Auto Ins. Co.: | Telephone: |
| Address: | |
| | Insurance Policy No.: |
| Insurance Broker/Agent: | Telephone: |
| Address: | |
| Claimant's Veh. Lic. No.: | Vehicle Make/Year: |
| Claimant's Drivers Lic. No.: | Expiration: |

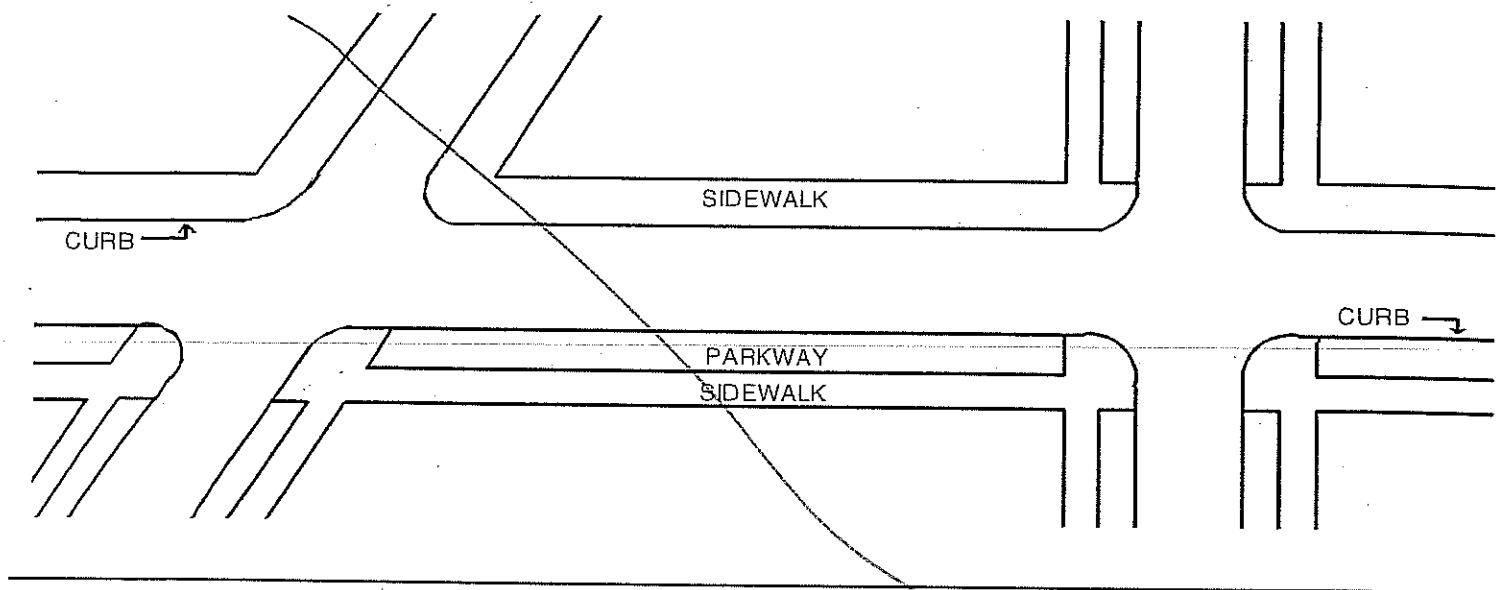
If applicable, please attach any repair bills, estimates or similar documents supporting your claim.

READ CAREFULLY

For all accident claims, place on following diagram name of streets, including North, East, South, and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If /Agency Vehicle was involved, designate by letter "A" location of /Agency Vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw

/Agency Vehicle; location of /Agency vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X."

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.

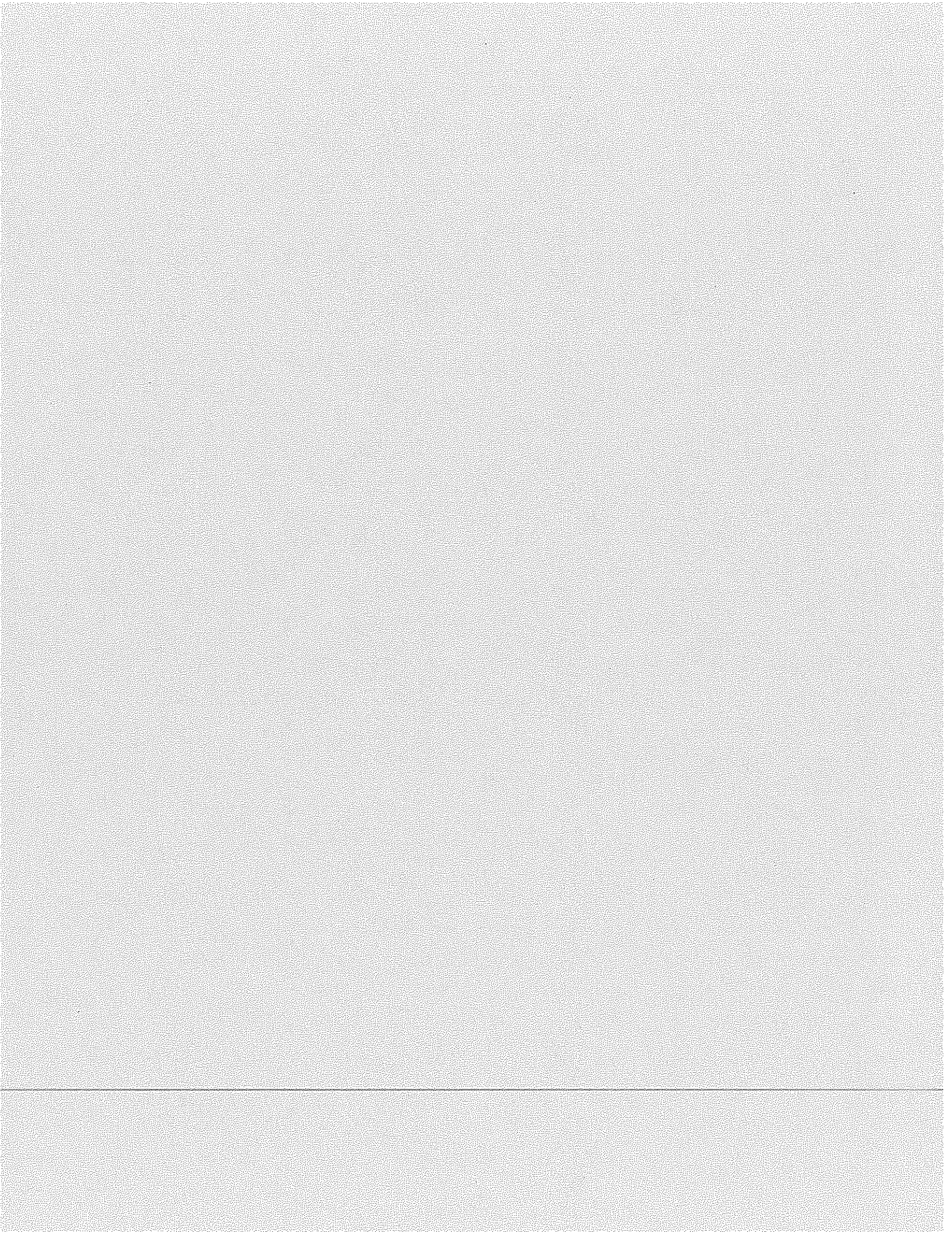


Warning: Presentation of a false claim with the intent to defraud is a felony (Penal Code §72). Pursuant to CCP §1038, the /Agency may seek to recover all costs of defense in the event an action is filed which is later determined not to have been brought in good faith and with reasonable cause.


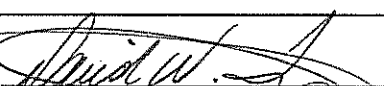
Signature:

Date:

1/12/2009



AGENDA SUMMARY

RE:	Purchase of (3) 2009 Honda ST1300 Police Motorcycles.	For Agenda Date: February 3, 2009 Agenda Item No.: 4
RECOMMENDATION: 1. Approve the purchase of (3) Honda ST1300 Police Motorcycles from Pacific Motorsports. 2. Appropriate \$15,500 in the Traffic Offender Fund and \$7,917 in the General Fund.		
SUMMARY OF THE ISSUE: On February 17, 2008, Requests for Proposals for the purchase of (3) 2007 Police Motorcycles with add-on equipment was advertised in the Times-Standard and mailed to eight prospective bidders. Three bids were received by the bid closing date of March 6 th , 2008. The bids were opened and read aloud in public in conformance with Eureka Municipal Code Section 39.42. Staff reviewed the proposals and determined the proposal submitted by Pacific Motorsports was the best bid, and met all required specifications. Staff recommended that Bid No. 2008-10 be awarded to Pacific Motorsports in the amount of \$ 54,605.73, and Council approved this on April 15, 2008. Because of factory delays we were not able to receive the 2007 Honda motorcycles as expected. 2009 Honda ST 1300 motorcycles are now available at an additional cost of only \$100 each. The total cost of the three motorcycles, document fees, license fees, and shipping and handling will be \$47,374. The add-on equipment will be obtained through a separate bid process.		
FISCAL IMPACT: Due to cost overages in the Drug Asset Fund, a new funding strategy was developed to purchase the (3) motorcycles. Staff proposes \$24,182, already appropriated from the Drug Asset Fund (233-42100-7490), \$15,500 new appropriation from the Traffic Offender Fund (237-42100-7490), and 7,917 from the General Fund (110-42100-7490), \$7,500 of which is supported by a new revenue and the balance from salary savings in the POP program.		
DH SIGN:  Garr Nielsen Chief of Police		CM SIGN:  David W. Tyson City Manager
REVIEWED BY:	DATE:	INITIALS:
City Attorney	1/29/2009	SS/KES
Finance	1/29/09	VW
COUNCIL ACTION:		
Ordinance No. _____		Resolution No. _____

City of Eureka

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 15, 2008.

SUBJECT: Purchase of (3) 2007 Police Motorcycles with add-on equipment.

ACTION:

Council awarded Bid No. 2008-10 to the best bidder, Pacific Motorsports, in the amount of \$54,605.73.

Adopted on motion by Councilmember ENDERT, seconded by Councilmember GLASS, and the following vote:

AYES: GLASS, ENDERT, LEONARD, JONES
NOES: NONE
ABSENT: KERRIGAN
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 16, 2008.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Chief of Police

Agenda Item 5



(707) 443-8031
1725 TOMLINSON STREET, EUREKA CA 95503
OPEN 9-5 TUESDAY THROUGH SATURDAY

DATE: January 9, 2009

TO: Len Johnson
FAX: (707) 441-4334
PHONE: (707) 441-4087

RE: ST1300PA9 Edited Quote

Len-

Following is a revised quote for one of the 2009 ST1300's. I blocked the total price for one unit at the bottom of the page. For all three units the total without the parts and accessories would be \$47,374.29. Jamie and I are working on an updated quote for the parts and accessories. I will call you when we have a number with all of the parts.

Please contact me at the above phone number or I can be emailed at veronica@pacificmotorsports.biz with any questions.

Sincerely:

A handwritten signature in cursive script, appearing to read "Veronica Schneider-Sargent".

Veronica Schneider-Sargent
Owner/GM

VS/bs
CC: File

Pacific Motorsports

1725 Tomlinson St.
Eureka, CA 95503
(707) 443-8031

Sales Deal Summary

Deal Number:

Date: 1/6/2009

Delivery Date: 1/6/2009

Finalized Date:

First Payment Due: 2/5/2009

Customer:

EUREKA POLICE, DEPARTMENT
604 C ST.
EUREKA, CA 95501
707-441-4085

Major Units	Stock #	Year	Make	Model	Model Name	VIN
	EPD-2	2009	HONDA	ST1300PA	ST1300	

Major Units**Fees & Insurance****Down Payment**

Unit Price	\$14,199.00
Freight	\$249.00
Handling	\$99.00
Total Unit	\$14,547.00
Parts and Accessories	\$0.00
Installation	\$0.00
Total Parts and Install	\$0.00
CA Tire Fee	\$0.00
Gift Certificate	\$0.00
Tie Downs	\$0.00
	\$0.00
	\$0.00
Total Dealer Defined	\$0.00

Vehicle Tax	\$1,029.43
Sales Tax	\$0.00
Doc Fees	\$55.00
License Fees	\$160.00
Total Fees	\$1,244.43
Service Contract	\$0.00
Prop / Liab Insurance	\$0.00
Credit Life	\$0.00
Accident / Health	\$0.00
Total Insurance Taxes	\$0.00
Total Insurance	\$0.00
Priority Maintenance	\$0.00
Theft Deterrent	\$0.00
GAP	\$0.00
Total Dealer Defined	\$0.00

Total Previous Payments	\$0.00
Additional Pmt Today	\$0.00
Deferred Payment	\$0.00
	\$0.00
Manuf to Cust Rebate	\$0.00
Total Down Payment	\$0.00
Trade Allowance	\$0.00
Less Trade Payoff	\$0.00
Trade Equity	\$0.00

Financing

Total Price	\$15,791.43	Term	1
Less Down	\$0.00	APR	0.000%
Amount Financed	\$15,791.43	Add-on	0.0%
Finance Charge	\$0.00	Extra	0.0%
Total of Payments	\$15,791.43	Monthly Payment	\$15,791.43

AGENDA SUMMARY

RE: FOURTH QUARTER FY 07/08 INVESTMENT For Agenda Date: February 3, 2009
REPORT FOR THE CITY OF EUREKA Agenda Item No.: 5
AND EUREKA REDEVELOPMENT AGENCY

RECOMMENDATION:

Receive and File the Quarterly Investment Report from September through December 2008 for the City of Eureka and the Eureka Redevelopment Agency.

SUMMARY OF THE ISSUE:

Pursuant to the City's Investment Policy and State Government Code Section 53646, attached is the City's Investment Report for the quarter ending December 2008. These reports reflect the investment of pooled funds for the City of Eureka, Fire and Police Retirement Fund, and Eureka Redevelopment Agency Special Fund. The investments are in conformity with the Investment policy of the City. The investment program provides sufficient cash flow liquidity to meet the next quarter's estimated obligations. The average yield-to-market of the portfolio is 3.71% and the average maturity is 1.67 years. All assets are in full compliance with State law and the City's investment policy.

FISCAL IMPACT: - NONE FROM THIS ACTION -

DH SIGN:

Warner
Finance Director

CM SIGN:

David W. J.
City Manager

REVIEWED BY:

DATE:

INITIALS:

City Attorney

22 Jan 09

SS

COUNCIL ACTION:

Ordinance No.

Resolution No.

City of Eureka

SUMMARY OF INVESTMENTS AND DEPOSITS
AS OF DECEMBER 31, 2008

^A Funds by Type	Original Cost	Fair Value	CHANGE
CD Total	1,101,206	1,101,206	-
Checking Total	1,567,736	1,567,736	-
Corporate Securities Total	2,214,563	2,139,628	(74,936)
Insured Corporate Securities Total	335,762	344,977	9,215
LAIF Total	3,225,073	3,225,073	-
Money Market Total	21,614	21,614	-
US Gov't Agencies Total	3,531,496	3,624,120	92,624
US Treasury Securities Total	2,279,641	2,414,946	135,304
Grand Total	14,277,092	14,439,299	162,208

SUMMARY OF INVESTMENTS AND DEPOSITS
AS OF DECEMBER 31, 2008

Held by	Original Cost	Fair Value	CHANGE
BNY Total	8,383,177	8,545,384	162,208
LAIF Total	3,224,973	3,224,973	-
Umpqua Total	686,911	686,911	-
US Bank Total	1,982,031	1,982,031	-
Grand Total	14,277,092	14,439,299	162,208

SUMMARY OF INVESTMENTS AND DEPOSITS
AS OF DECEMBER 31, 2008

	Purchase date	Original Cost	Fair Value	CHANGE
<u>Held by Bank of New York</u>				
Allstate Corp Note	2/8/2008	160,625	151,638	8,987
American General Finance Note	10/5/2006	222,188	192,977	29,210
Becton Dickinson	3/3/2006	238,052	227,324	10,728
Deere & Co. Note	6/19/2008	160,437	156,650	3,787
Heller Financial Note	1/19/2007	189,909	183,400	6,509
Morgan Stanley Note	5/11/2007	293,973	299,913	(5,940)
State Street Bank Note	7/11/2007	184,944	182,077	2,867
Wachovia Corp Note	1/17/2007	253,529	248,622	4,907
Wal-Mart Stores Note	2/25/2008	242,165	236,891	5,274
Wells Fargo Corp. Note	5/16/2008	268,743	260,135	8,608
Bank of America Corp Guaranteed Note	12/19/2008	85,000	85,252	(252)
JP Morgan Chase Guaranteed Note	12/4/2008	250,762	259,725	(8,963)
LAIF	Various	100	100	-
Dreyfus Funds Institutional Reserve	Various	1,813	1,813	-
Dreyfus Funds Institutional Reserve	Various	19,801	19,801	-
FFCB Note	7/30/2008	20,532	21,044	(512)
FFCB Note	7/2/2008	126,486	130,938	(4,452)
FFCB Note	Various	143,505	135,363	8,142
FFCB Note	12/6/2007	252,987	263,299	(10,312)
FFCB Note	5/30/2008	258,810	269,610	(10,800)
FFCB Note	3/3/2008	307,451	312,520	(5,069)
FHLB Note	7/30/2008	20,244	20,581	(337)
FHLB Note	9/12/2006	182,756	196,100	(13,344)
FHLB Note	6/12/2006	218,574	234,703	(16,129)
FHLB Note	4/30/2008	228,921	235,336	(6,415)
FHLMC Callable Note	4/30/2008	330,076	332,412	(2,336)
FHLMC Note	7/30/2008	20,637	20,656	(19)
FHLMC Note	4/24/2008	256,213	263,125	(6,912)
FNMA Discount Note	7/30/2008	19,650	19,650	-
FNMA Note	5/9/2008	149,372	152,531	(3,159)
FNMA Note	4/28/2008	247,421	254,922	(7,501)
FNMA Note	4/24/2008	251,369	256,406	(5,038)
FNMA Note	12/4/2008	259,952	264,610	(4,658)
Tennessee Valley Authority Note	6/9/2008	236,540	240,314	(3,774)
US Treasury Note	7/30/2008	19,771	20,331	(560)
US Treasury Note	4/28/2008	44,515	45,745	(1,231)
US Treasury Note	3/3/2008	224,831	232,247	(7,416)
US Treasury Note	5/11/2007	294,205	318,969	(24,764)
US Treasury Note	Various	303,708	319,774	(16,066)
US Treasury Note	5/9/2008	316,523	322,125	(5,602)
US Treasury Note	Various	329,369	358,719	(29,350)
US Treasury Note	Various	361,760	400,474	(38,714)
US Treasury Note	Various	384,959	396,563	(11,603)
		8,383,177	8,545,384	(162,208)
LAIF	Various	692,481	692,481	-
LAIF	Various	2,532,492	2,532,492	-
		3,224,973	3,224,973	-
CDARS @ UMPQUA BANK	9/11/2008	685,000	685,000	-
CHECKING ACCOUNT @ UMPQUA BANK	Various	1,911	1,911	-
US BANK CD	6/16/2008	416,206	416,206	-
US BANK CHECKING ACCOUNT	Various	1,565,825	1,565,825	-
		2,668,942	2,668,942	-
TOTAL ALL INVESTMENTS & CASH		14,277,092	14,439,299	(162,208)

PORTFOLIO CHARACTERISTICS

Average Duration	1.67
Average Coupon	4.78 %
Average Purchase YTM	3.71 %
Average Market YTM	3.06 %
Average S&P Rating	AAA
Average Final Maturity	1.76 yrs
Average Life	1.76 yrs

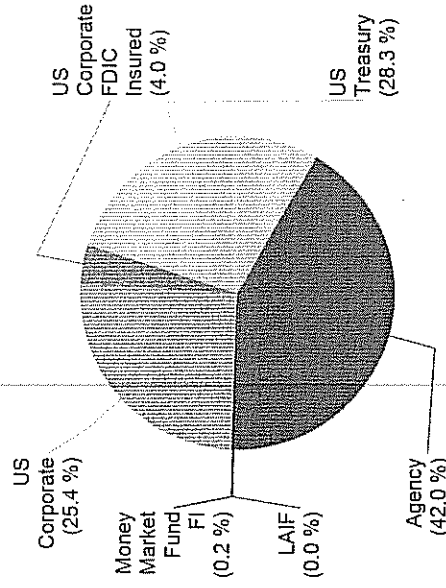
ACCOUNT SUMMARY

	Beg. Values as of 11/30/08	End Values as of 12/31/08
Market Value	9,301,255	8,441,309
Accrued Interest	99,215	93,505
Total Market Value	9,400,470	8,534,814
Income Earned	28,619	27,120
Cont/WD		-1,000,000
Par	8,985,629	8,063,901
Book Value	9,133,565	8,207,868
Cost Value	9,198,099	8,280,530

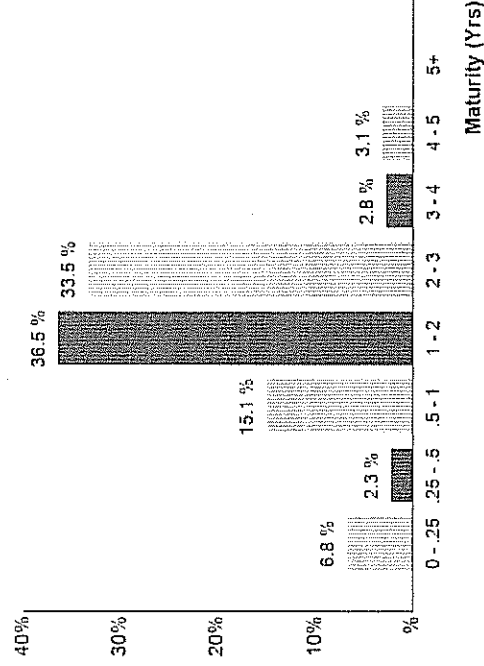
TOP ISSUERS

Issuer	% Portfolio
Government of United States	28.3 %
Federal Farm Credit Bank	11.6 %
Fannie Mae	11.0 %
Federal Home Loan Mortgage Corp	8.7 %
Federal Home Loan Bank	7.9 %
Morgan Stanley	3.6 %
Wells Fargo Corp	3.1 %
JP Morgan	3.1 %
	77.1 %

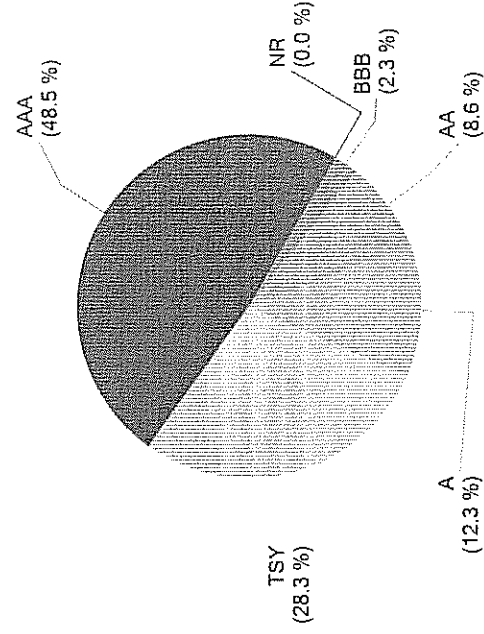
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY



PERFORMANCE REVIEW

Total Rate of Return As of 12/31/2008	Current Month	Latest 3 Months	Year To Date	1 Yr	Annualized 5 Yrs	Since 3/31/1997
City of Eureka	1.55 %	4.34 %	6.28 %	6.28 %	5.94 %	86.06 %
1-3 Year Govt/A Rated or better Corporate	1.13 %	2.74 %	5.18 %	5.18 %	5.45 %	80.12 %
1-3 yr Treasury	0.57 %	2.69 %	6.61 %	6.61 %	5.95 %	79.69 %



Holdings Report

As of 12/31/08

GUSIP	Security Description	Par Value/Units	Purchase Date	Cost Value	Mkt Price	Market Value	% of Port.	Moody	Term (yrs)
AGENCY			Book Yield	Book Value	Mkt YTM	Accrued Int.	Gain/Loss	S&P	Duration
3134A3M78	FHLMC Note 6.625% Due 9/15/2009	130,000.00	Various 4.14 %	143,504.69 132,045.84	104.12 0.75 %	135,362.50 2,535.90	1.62 % 3,316.66	Aaa AAA	0.71 0.69
3128X3WY5	FHLMC Callable Note 1X 9/22/2006 4% Due 9/22/2009	325,000.00	04/30/2008 2.85 %	330,076.50 327,633.00	102.28 0.84 %	332,412.27 3,575.00	3.94 % 4,779.27	Aaa AAA	0.73 0.71
31398AKX9	FNMA Note 3.25% Due 2/10/2010	250,000.00	04/24/2008 2.93 %	251,368.50 250,844.88	102.56 0.92 %	256,406.25 3,182.29	3.04 % 5,561.37	Aaa AAA	1.11 1.08
3133XBB20	FHLB Note 4.375% Due 3/17/2010	225,000.00	06/12/2006 5.22 %	218,574.45 222,937.82	104.31 0.79 %	234,703.13 2,843.75	2.78 % 11,765.31	Aaa AAA	1.21 1.18
31398AMV1	FNMA Note 2.5% Due 4/9/2010	150,000.00	05/09/2008 2.73 %	149,371.95 149,581.60	101.69 1.16 %	152,531.25 854.17	1.80 % 2,949.65	Aaa AAA	1.27 1.25
31398APV8	FNMA Note 2.375% Due 5/20/2010	250,000.00	04/28/2008 2.90 %	247,421.00 248,269.22	101.97 0.94 %	254,922.00 676.22	2.99 % 6,652.78	Aaa AAA	1.38 1.36
3133MRCM2	FHLB Note 4.75% Due 8/13/2010	185,000.00	09/12/2006 5.09 %	182,755.95 184,074.41	106.00 1.00 %	196,100.00 3,319.72	2.34 % 12,025.59	Aaa AAA	1.62 1.55
3134A4VE1	FHLMC Note 4.125% Due 10/18/2010	250,000.00	04/24/2008 3.08 %	256,212.75 254,491.56	105.25 1.16 %	263,125.00 2,091.15	3.11 % 8,633.44	Aaa AAA	1.80 1.73
31331YGP9	FFCB Note 3.75% Due 12/6/2010	125,000.00	07/02/2008 3.23 %	126,485.88 126,187.35	104.75 1.25 %	130,937.50 325.52	1.54 % 4,750.15	Aaa AAA	1.93 1.87
3133XNH25	FHLB Note 3.625% Due 12/17/2010	225,000.00	04/30/2008 2.93 %	228,921.08 227,920.39	104.59 1.25 %	235,336.05 317.19	2.76 % 7,415.66	Aaa AAA	1.96 1.90
880591DN9	Tennessee Valley Authority Note 5.625% Due 1/18/2011	225,000.00	06/09/2008 3.55 %	236,540.26 234,055.23	106.81 2.21 %	240,314.40 5,730.47	2.88 % 6,259.17	Aaa AAA	2.05 1.90
31331YSK3	FFCB Note 4.875% Due 2/18/2011	245,000.00	12/06/2007 3.78 %	252,987.00 250,333.81	107.47 1.31 %	263,298.56 4,412.55	3.14 % 12,964.75	Aaa AAA	2.13 2.01
31331XWU2	FFCB Note 4.8% Due 4/25/2011	250,000.00	05/30/2008 3.51 %	258,810.00 257,034.66	107.84 1.35 %	269,609.50 2,200.00	3.18 % 12,574.84	Aaa AAA	2.32 2.19
31331VJ80	FFCB Note 5.375% Due 7/18/2011	285,000.00	03/03/2008 2.90 %	307,451.16 301,952.54	109.66 1.50 %	312,520.46 6,935.99	3.74 % 10,567.92	Aaa AAA	2.55 2.35
31398AKY7	FNMA Note 3.625% Due 2/12/2013	250,000.00	12/04/2008 2.61 %	259,951.50 259,801.51	105.84 2.13 %	264,609.50 3,499.13	3.14 % 4,807.99	Aaa AAA	4.12 3.78
Total Agency		3,370,000.00	3.37 %	3,450,432.67 3,427,163.82	1.26 %	3,542,188.37 42,499.05	42.00 % 115,024.55	Aaa AAA	1.84 1.75

LAIF									
90LAIFS00	Local Agency Investment Fund State Pool	100.00	Various 2.17 %	100.00 100.00	1.00 2.17 %	100.00 0.83	0.00 % 0.00	NR NR	0.00 0.00
Total LAIF		100.00	2.17 %	100.00 100.00	2.17 %	100.00 0.83	0.00 % 0.00	NR NR	0.00 0.00



City of Eureka
Account #140

Holdings Report

As of 12/31/08

CUSIP	Security Description	Par Value/Units	Purchase Date	Cost Value	Market Value	% of Port.	Moody	Term (yrs)
			Book Yield	Book Value	Accrued Int.	Gain/Loss	S&P	Duration
MONEY MARKET/FUND FI								
26200X845	Dreyfus Funds Inst'l Reserve Treasury #6541	19,801.43	Various	19,801.43	19,801.43	0.23 %	Aaa	0.00
			0.01 %	19,801.43	0.00	0.00	AAA	0.00
Total Money Market Fund FI		19,801.43	0.01 %	19,801.43	0.00	0.23 %	Aaa	0.00
				19,801.43	0.00	0.00	AAA	0.00
US CORPORATE								
61746BAL0	Morgan Stanley Note 3.875% Due 1/15/2009	300,000.00	05/11/2007	293,973.00	299,913.30	3.58 %	A2	0.04
			5.14 %	299,862.13	5,360.42	51.17	A	0.04
929771AM5	Wachovia Corp Note 6.15% Due 3/15/2009	249,000.00	01/17/2007	253,529.31	248,622.27	2.97 %	A2	0.20
			5.24 %	249,422.27	4,508.98	(800.00)	A	0.20
02635PSP9	American General Finance Note 4.625% Due 5/15/2009	225,000.00	10/05/2006	222,187.50	192,977.33	2.28 %	Baa1	0.37
			5.15 %	224,601.19	1,329.69	(31,623.86)	BBB	0.31
931142BE2	Wal-Mart Stores Note 6.875% Due 8/10/2009	230,000.00	02/25/2008	242,164.70	236,891.03	2.85 %	Aa2	0.61
			3.13 %	235,062.90	6,193.23	1,828.13	AA	0.59
075887AR0	Becton Dickinson Note 7.15% Due 10/1/2009	225,000.00	03/03/2006	238,052.25	227,323.80	2.71 %	A2	0.75
			5.34 %	227,734.66	4,021.88	(410.86)	AA-	0.71
423328BM4	Heller Financial Inc Note 7.375% Due 11/1/2009	180,000.00	01/18/2007	189,909.00	183,399.66	2.17 %	Aaa	0.84
			5.21 %	182,973.68	2,212.50	425.98	AAA	0.80
020002AK7	Allstate Corp Note 7.2% Due 12/1/2009	150,000.00	02/08/2008	160,624.50	151,637.85	1.79 %	A2	0.92
			3.12 %	155,401.19	900.00	(3,763.34)	A+	0.87
244199AY1	Deere & Co Note 7.85% Due 5/15/2010	150,000.00	06/19/2008	160,437.00	156,650.25	1.85 %	A2	1.37
			3.99 %	157,547.92	1,504.58	(897.67)	A	1.29
857477AB9	State Street Bank Note 7.65% Due 6/15/2010	175,000.00	07/11/2007	184,943.50	182,077.00	2.14 %	A1	1.45
			5.51 %	179,948.41	595.00	2,128.59	A+	1.37
949748AE7	Wells Fargo Corp Note 7.55% Due 6/21/2010	250,000.00	05/16/2008	268,742.50	260,135.00	3.05 %	Aa1	1.47
			3.77 %	263,201.02	524.31	(3,066.02)	AA+	1.39
Total US Corporate		2,134,000.00	4.60 %	2,214,563.26	2,139,627.49	25.39 %	A1	0.75
				2,175,755.37	27,150.59	(36,127.88)	A+	0.71
US CORPORATE/FDIC INSURED								
06052AAA9	Bank of America Corp FDIC Guaranteed Note 1.7% Due 12/23/2010	85,000.00	12/19/2008	85,000.00	85,252.03	1.00 %	Aaa	1.98
			1.70 %	85,000.00	32.11	252.03	AAA	1.94
481247AA2	JP Morgan Chase FDIC Guaranteed Note 3.125% Due 12/1/2011	250,000.00	12/04/2008	250,762.50	259,724.75	3.05 %	Aaa	2.92
			3.02 %	250,747.05	629.34	8,977.70	AAA	2.78
Total US Corporate FDIC Insured		335,000.00	2.68 %	335,762.50	344,976.78	4.05 %	Aaa	2.69
				335,747.05	661.45	9,229.73	AAA	2.57
US TREASURY								



City of Eureka
Account #140

Holdings Report

As of 12/31/08

CUSIP	Security Description	Par Value/Units	Purchase Date	Cost Value	Mkt Price	Market Value	% of Port.	Moody	Term (yrs)
			Book Yield	Book Value	Mkt YTM	Accrued Int.	Gain/Loss	S&P	Duration
US TREASURY									
912828HU7	US Treasury Note 1.75% Due 3/31/2010	45,000.00	04/28/2008	44,514.84	101.66	45,745.34	0.54 %	TSY	1.25
			2.33 %	44,685.79	0.42 %	201.20	1,059.55	TSY	1.23
912828DU1	US Treasury Note 3.875% Due 5/15/2010	305,000.00	Various	303,707.62	104.84	319,773.59	3.76 %	TSY	1.37
			3.78 %	305,440.10	0.34 %	1,534.48	14,333.49	TSY	1.34
912828EM8	US Treasury Note 4.5% Due 11/15/2010	300,000.00	05/09/2008	316,523.44	107.38	322,125.00	3.79 %	TSY	1.87
			2.23 %	312,333.89	0.54 %	1,752.76	9,791.11	TSY	1.81
912828EX4	US Treasury Note 4.5% Due 2/28/2011	295,000.00	05/11/2007	294,204.88	108.13	318,968.75	3.79 %	TSY	2.16
			4.58 %	294,547.94	0.71 %	4,510.57	24,420.81	TSY	2.05
912828FN5	US Treasury Note 4.875% Due 7/31/2011	325,000.00	Various	329,368.90	110.38	358,718.75	4.28 %	TSY	2.58
			4.49 %	327,943.19	0.81 %	6,630.26	30,775.56	TSY	2.41
912828FU9	US Treasury Note 4.5% Due 9/30/2011	365,000.00	Various	361,759.97	109.72	400,473.62	4.74 %	TSY	2.75
			4.72 %	362,987.41	0.91 %	4,196.50	37,486.21	TSY	2.58
912828GA2	US Treasury Note 4.5% Due 11/30/2011	360,000.00	Various	384,959.38	110.16	396,562.68	4.66 %	TSY	2.92
			2.56 %	379,254.96	0.96 %	1,424.18	17,307.72	TSY	2.75
912828HC7	US Treasury Note 4.125% Due 8/31/2012	210,000.00	03/03/2008	224,831.25	110.59	232,246.98	2.76 %	TSY	3.67
			2.45 %	222,107.51	1.16 %	2,943.34	10,139.47	TSY	3.39
Total US Treasury		2,205,000.00	3.56 %	2,259,870.28	0.76 %	2,394,614.71	28.33 %	TSY	2.43
				2,249,300.79		23,193.29	145,313.92	TSY	2.30
TOTAL PORTFOLIO									
		8,063,901.43	3.71 %	8,280,530.14	3.06 %	8,441,308.78	100.00 %	Aa1	1.76
				8,207,868.46		93,505.21	233,440.32	AAA	1.67
TOTAL MARKET VALUE PLUS ACCRUED				8,534,813.99					



City of Eureka
Account #140

Transaction Ledger

11/30/08 Thru 12/31/08

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/01/2008	26200X845	5,400.00	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	5,400.00	0.00	5,400.00	0.00
Purchase	12/02/2008	26200X845	7.24	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	7.24	0.00	7.24	0.00
Purchase	12/06/2008	26200X845	4,218.75	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	4,218.75	0.00	4,218.75	0.00
Purchase	12/09/2008	26200X845	440,769.17	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	440,769.17	0.00	440,769.17	0.00
Purchase	12/09/2008	31398AKY7	250,000.00	FNMA Note 3.625% Due 2/12/2013	103.981	2.61 %	259,951.50	2,945.31	262,896.81	0.00
Purchase	12/10/2008	481247AA2	250,000.00	JP Morgan Chase FDIC Guaranteed Note 3.125% Due 12/1/2011	100.305	3.02 %	250,762.50	173.61	250,936.11	0.00
Purchase	12/15/2008	26200X845	6,693.75	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	6,693.75	0.00	6,693.75	0.00
Purchase	12/17/2008	26200X845	5,890.63	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	5,890.63	0.00	5,890.63	0.00
Purchase	12/18/2008	26200X845	983,642.97	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	983,642.97	0.00	983,642.97	0.00
Purchase	12/21/2008	26200X845	9,437.50	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	9,437.50	0.00	9,437.50	0.00
Purchase	12/22/2008	26200X845	51,045.06	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	51,045.06	0.00	51,045.06	0.00
Purchase	12/23/2008	06052AAA9	85,000.00	Bank of America Corp FDIC Guaranteed Note 1.7% Due 12/23/2010	1.000	1.70 %	85,000.00	0.00	85,000.00	0.00
Subtotal			2,092,105.07				2,102,819.07	3,118.92	2,105,937.99	0.00
TOTAL ACQUISITIONS							2,102,819.07	3,118.92	2,105,937.99	0.00
DISPOSITIONS										
Sale	12/09/2008	31331XWL2	325,000.00	FFCB Note 4.75% Due 5/7/2010	103.572	2.16 %	336,609.98	1,372.22	337,982.20	3,311.95
Sale	12/09/2008	91282BCX6	100,000.00	US Treasury Note 3.375% Due 10/15/2009	102.277	0.68 %	102,277.01	509.96	102,786.97	2,899.52
Sale	12/10/2008	26200X845	513,832.92	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	513,832.92	0.00	513,832.92	0.00
Sale	12/18/2008	31331YGP9	100,000.00	FFCB Note 3.75% Due 12/6/2010	104.333	1.51 %	104,333.20	125.00	104,458.20	3,364.43

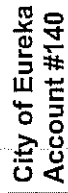


City of Eureka
Account #140

Transaction Ledger

11/30/08 Thru 12/31/08

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Sale	12/18/2008	3133XBB20	150,000.00	FHLB Note 4.375% Due 3/17/2010	103.844	1.26 %	155,765.55	1,658.85	157,424.40	7,184.08
Sale	12/18/2008	3133XJQP6	200,000.00	FHLB Note 5% Due 2/4/2009	100.612	0.21 %	201,224.00	3,722.22	204,946.22	1,224.49
Sale	12/18/2008	3133XNHZ5	100,000.00	FHLB Note 3.625% Due 12/17/2010	103.924	1.62 %	103,923.90	10.07	103,933.97	2,600.54
Sale	12/18/2008	31398AMV1	150,000.00	FNMA Note 2.5% Due 4/9/2010	101.431	1.39 %	152,146.95	718.75	152,865.70	2,578.00
Sale	12/18/2008	912828EX4	80,000.00	US Treasury Note 4.5% Due 2/28/2011	108.507	0.60 %	86,805.98	1,083.98	87,889.96	6,930.75
Sale	12/18/2008	912828FN5	80,000.00	US Treasury Note 4.875% Due 7/31/2011	111.113	0.59 %	88,890.36	1,483.70	90,374.06	8,155.10
Sale	12/18/2008	912828HU7	80,000.00	US Treasury Note 1.75% Due 3/31/2010	101.808	0.34 %	81,446.61	303.85	81,750.46	2,022.43
Sale	12/22/2008	912828HU7	50,000.00	US Treasury Note 1.75% Due 3/31/2010	101.691	0.42 %	50,845.54	199.52	51,045.06	1,202.35
Sale	12/23/2008	26200X845	85,000.00	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	85,000.00	0.00	85,000.00	0.00
Subtotal			2,013,832.92				2,063,102.00	11,188.12	2,074,290.12	41,473.64
Security Withdrawal	12/22/2008	26200X845	1,000,000.00	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000		1,000,000.00	0.00	1,000,000.00	0.00
Subtotal			1,000,000.00				1,000,000.00	0.00	1,000,000.00	0.00
TOTAL DISPOSITIONS			3,013,832.92				3,063,102.00	11,188.12	3,074,290.12	41,473.64
OTHER TRANSACTIONS										
Interest	12/01/2008	020002AK7	150,000.00	Allstate Corp Note 7.2% Due 12/1/2009	0.000		5,400.00	0.00	5,400.00	0.00
Interest	12/06/2008	31331YGP9	225,000.00	FFCB Note 3.75% Due 12/6/2010	0.000		4,218.75	0.00	4,218.75	0.00
Interest	12/15/2008	857477AB9	175,000.00	State Street Bank Note 7.65% Due 6/15/2010	0.000		6,693.75	0.00	6,693.75	0.00
Interest	12/17/2008	3133XNHZ5	325,000.00	FHLB Note 3.625% Due 12/17/2010	0.000		5,890.63	0.00	5,890.63	0.00
Interest	12/21/2008	949748AE7	250,000.00	Wells Fargo Corp Note 7.55% Due 6/21/2010	0.000		9,437.50	0.00	9,437.50	0.00
Subtotal			1,125,000.00				31,640.63	0.00	31,640.63	0.00



11/30/08 Thru 12/31/08

Chandler Asset Management - CONFIDENTIAL



Income Earned

11/30/08 Thru 12/31/08

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
Fixed Income						
020002AK7	Allstate Corp Note 7.2% Due 12/01/2009	02/08/2008 02/13/2008 150,000.00	155,902.50 0.00 0.00 155,401.19	5,400.00 5,400.00 900.00 900.00	0.00 501.31 (501.31) 398.69	0.00 0.00 398.69
02635PSP9	American General Finance Note 4.625% Due 05/15/2009	10/05/2006 10/13/2006 225,000.00	224,508.93 0.00 0.00 224,601.19	462.50 0.00 1,329.69 867.19	92.26 0.00 92.26 959.45	0.00 0.00 959.45
06052AAA9	Bank of America Corp FDIC Guaranteed Note 1.7% Due 12/23/2010	12/19/2008 12/23/2008 85,000.00	0.00 85,000.00 0.00 85,000.00	0.00 0.00 32.11 32.11	0.00 0.00 0.00 32.11	0.00 0.00 0.00 32.11
075887AR0	Becton Dickinson Note 7.15% Due 10/01/2009	03/03/2006 03/08/2006 225,000.00	228,045.19 0.00 0.00 227,734.66	2,681.25 0.00 4,021.88 1,340.63	0.00 310.53 (310.53) 1,030.10	0.00 0.00 1,030.10
244199AY1	Deere & Co Note 7.85% Due 05/15/2010	06/19/2008 06/24/2008 150,000.00	158,016.83 0.00 0.00 157,547.92	523.33 0.00 1,504.58 981.25	0.00 468.91 (468.91) 512.34	0.00 0.00 512.34
3128X3WY5	FHLMC Callable Note 1X 9/22/2006 4% Due 09/22/2009	04/30/2008 05/01/2008 325,000.00	327,942.18 0.00 0.00 327,633.00	2,491.67 0.00 3,575.00 1,083.33	0.00 309.18 (309.18) 774.15	0.00 0.00 774.15
31331VJ80	FFCB Note 5.375% Due 07/18/2011	03/03/2008 03/06/2008 285,000.00	302,518.85 0.00 0.00 301,952.54	5,659.43 0.00 6,935.99 1,276.56	0.00 566.31 (566.31) 710.25	0.00 0.00 710.25
31331VSK3	FFCB Note 4.875% Due 02/18/2011	12/06/2007 12/11/2007 245,000.00	250,546.34 0.00 0.00 250,333.81	3,417.24 0.00 4,412.55 995.31	0.00 212.53 (212.53) 782.78	0.00 0.00 782.78
31331XWL2	FFCB Note Due 05/07/2010	04/30/2008 05/01/2008 0.00	333,427.18 0.00 0.00 333,298.03	1,029.17 1,372.22 0.00 343.05	0.00 129.15 (129.15) 213.90	0.00 0.00 213.90
31331XWU2	FFCB Note 4.8% Due 04/25/2011	05/30/2008 06/02/2008 250,000.00	257,293.05 0.00 0.00 257,034.66	1,200.00 0.00 2,200.00 1,000.00	0.00 258.39 (258.39) 741.61	0.00 0.00 741.61



City of Eureka
Account #140

Income Earned

11/30/08 Thru 12/31/08

CUSIP	Security Description	Trade Date Settle Date	Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
31331YGP9	FFCB Note 3.75% Due 12/06/2010	07/02/2008 07/08/2008 125,000.00		227,231.35 0.00 100,968.77 126,187.35	4,101.56 4,343.75 325.52 567.71	0.00 75.23 (75.23) 492.48	0.00 0.00 492.48
3133MRCM2	FHLB Note 4.75% Due 08/13/2010	09/12/2006 09/15/2006 185,000.00		184,025.69 0.00 0.00 184,074.41	2,587.43 0.00 3,319.72 732.29	48.72 0.00 48.72 781.01	0.00 0.00 0.00 781.01
3133XBB20	FHLB Note 4.375% Due 03/17/2010	06/12/2006 06/15/2006 225,000.00		371,320.89 0.00 148,581.47 222,937.82	3,372.40 1,658.85 2,843.75 1,130.20	198.40 0.00 198.40 1,328.60	0.00 0.00 0.00 1,328.60
3133XJQP6	FHLB Note Due 02/04/2009	05/11/2007 05/14/2007 0.00		199,999.34 0.00 199,999.51 0.00	3,250.00 3,722.22 0.00 472.22	0.17 0.00 0.17 472.39	0.00 0.00 0.00 472.39
3133XNHZ5	FHLB Note 3.625% Due 12/17/2010	04/30/2008 05/01/2008 225,000.00		329,401.23 0.00 101,323.36 227,920.39	5,367.01 5,900.70 317.19 850.88	0.00 157.48 (157.48) 693.40	0.00 0.00 0.00 693.40
3134A3M78	FHLMC Note 6.625% Due 09/15/2009	Various Various 130,000.00		132,292.61 0.00 0.00 132,045.84	1,818.20 0.00 2,535.90 717.70	0.00 246.77 (246.77) 470.93	0.00 0.00 0.00 470.93
3134A4VE1	FHLMC Note 4.125% Due 10/18/2010	04/24/2008 04/25/2008 250,000.00		254,704.14 0.00 0.00 254,491.56	1,231.77 0.00 2,091.15 859.38	0.00 212.58 (212.58) 646.80	0.00 0.00 0.00 646.80
31398AKX9	FNMA Note 3.25% Due 02/10/2010	04/24/2008 04/25/2008 250,000.00		250,909.55 0.00 0.00 250,844.88	2,505.21 0.00 3,182.29 677.08	0.00 64.67 (64.67) 612.41	0.00 0.00 0.00 612.41
31398AKY7	FNMA Note 3.625% Due 02/12/2013	12/04/2008 12/09/2008 250,000.00		0.00 259,951.50 0.00 259,801.51	0.00 (2,945.31) 3,499.13 553.82	0.00 149.99 (149.99) 403.83	0.00 0.00 0.00 403.83
31398AMV1	FNMA Note 2.5% Due 04/09/2010	05/09/2008 05/14/2008 150,000.00		299,107.17 0.00 149,568.95 149,581.60	1,083.33 718.75 854.17 489.59	43.38 0.00 43.38 532.97	0.00 0.00 0.00 532.97
31398APV8	FNMA Note 2.375% Due 05/20/2010	04/28/2008 04/29/2008 250,000.00		248,162.76 0.00 0.00 248,269.22	181.42 0.00 676.22 494.80	106.46 0.00 106.46 601.26	0.00 0.00 0.00 601.26



Income Earned

11/30/08 Thru 12/31/08

CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
423328BM4	Heller Financial Inc Note 7.375% Due 11/01/2009	01/18/2007 01/23/2007 180,000.00	183,276.92 0.00 0.00 182,973.68	1,106.25 0.00 2,212.50 1,106.25	0.00 303.24 (303.24) 803.01	0.00 803.01
481247AA2	JP Morgan Chase FDIC Guaranteed Note 3.125% Due 12/01/2011	12/04/2008 12/10/2008 250,000.00	0.00 250,762.50 0.00 250,747.05	0.00 (173.61) 629.34 455.73	0.00 15.45 (15.45) 440.28	0.00 440.28
61746BAL0	Morgan Stanley Note 3.875% Due 01/15/2009	05/11/2007 05/14/2007 300,000.00	299,556.84 0.00 0.00 299,862.13	4,391.67 0.00 5,360.42 968.75	305.29 0.00 305.29 1,274.04	0.00 1,274.04
857477AB9	State Street Bank Note 7.65% Due 06/15/2010	07/11/2007 07/16/2007 175,000.00	180,237.84 0.00 0.00 179,948.41	6,173.13 6,693.75 595.00 1,115.62	0.00 289.43 (289.43) 826.19	0.00 826.19
880591DN9	Tennessee Valley Authority Note 5.625% Due 01/18/2011	06/09/2008 06/10/2008 225,000.00	234,431.01 0.00 0.00 234,055.23	4,675.78 0.00 5,730.47 1,054.69	0.00 375.78 (375.78) 678.91	0.00 678.91
912828CX6	US Treasury Note Due 10/15/2009	Various Various 0.00	99,361.43 0.00 99,377.49 0.00	435.78 509.96 0.00 74.18	16.06 0.00 16.06 90.24	0.00 90.24
912828DU1	US Treasury Note 3.875% Due 05/15/2010	Various Various 305,000.00	305,467.43 0.00 0.00 305,440.10	522.37 0.00 1,534.48 1,012.11	129.47 156.80 (27.33) 984.78	0.00 984.78
912828EM8	US Treasury Note 4.5% Due 11/15/2010	05/09/2008 05/14/2008 300,000.00	312,893.70 0.00 0.00 312,333.89	596.69 0.00 1,752.76 1,156.07	0.00 559.81 (559.81) 596.26	0.00 596.26
912828EX4	US Treasury Note 4.5% Due 02/28/2011	05/11/2007 05/14/2007 295,000.00	374,402.74 0.00 79,875.23 294,547.94	4,288.67 1,083.98 4,510.57 1,305.88	20.43 0.00 20.43 1,326.31	0.00 1,326.31
912828FN5	US Treasury Note 4.875% Due 07/31/2011	Various Various 325,000.00	408,788.50 0.00 80,735.26 327,943.19	6,599.13 1,483.70 6,630.26 1,514.83	0.00 110.05 (110.05) 1,404.78	0.00 1,404.78
912828FU9	US Treasury Note 4.5% Due 09/30/2011	Various Various 365,000.00	362,925.14 0.00 0.00 362,987.41	2,797.66 0.00 4,196.50 1,398.84	81.96 19.69 62.27 1,461.11	0.00 1,461.11



City of Eureka
Account #140

Income Earned

11/30/08 Thru 12/31/08

GUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
912828GA2	US Treasury Note 4.5% Due 11/30/2011	Various Various 360,000.00	379,816.49 0.00 0.00 379,254.96	44.51 0.00 1,424.18 1,379.67	0.00 561.53 (561.53) 818.14	0.00 0.00 818.14
912828HC7	US Treasury Note 4.125% Due 08/31/2012	03/03/2008 03/06/2008 210,000.00	222,388.03 0.00 0.00 222,107.51	2,201.52 0.00 2,943.34 741.82	0.00 280.52 (280.52) 461.30	0.00 0.00 461.30
912828HU7	US Treasury Note 1.75% Due 03/31/2010	04/28/2008 04/29/2008 45,000.00	173,694.64 0.00 129,067.37 44,685.79	521.63 503.37 201.20 182.94	58.52 0.00 58.52 241.46	0.00 0.00 0.00 241.46
929771AM5	Wachovia Corp Note 6.15% Due 03/15/2009	01/17/2007 01/22/2007 249,000.00	249,601.59 0.00 0.00 249,422.27	3,232.85 0.00 4,508.98 1,276.13	0.00 179.32 (179.32) 1,096.81	0.00 0.00 0.00 1,096.81
931142BE2	Wal-Mart Stores Note 6.875% Due 08/10/2009	02/25/2008 02/26/2008 230,000.00	235,773.08 0.00 0.00 235,062.90	4,875.52 0.00 6,193.23 1,317.71	0.00 710.18 (710.18) 607.53	0.00 0.00 0.00 607.53
949748AE7	Wells Fargo Corp Note 7.55% Due 06/21/2010	05/16/2008 05/21/2008 250,000.00	263,964.52 0.00 0.00 263,201.02	8,388.89 9,437.50 524.31 1,572.92	0.00 763.50 (763.50) 809.42	0.00 0.00 0.00 809.42
			9,021,935.68 595,714.00 1,422,795.44 8,187,967.03	99,214.97 39,709.83 93,504.38 33,999.24	1,101.12 7,988.33 (6,887.21) 27,112.03	0.00 0.00 27,112.03
TOTAL Fixed Income		8,044,000.00				

Cash & Equivalent						
26200X845	Dreyfus Funds Inst'l Reserve Treasury #6541	Various Various 19,801.43	111,529.28 1,507,105.07 1,598,832.92 19,801.43	0.00 7.24 0.00 7.24	0.00 0.00 0.00 7.24	0.00 0.00 0.00 7.24
			111,529.28 1,507,105.07 1,598,832.92 19,801.43	0.00 7.24 0.00 7.24	0.00 0.00 0.00 7.24	0.00 0.00 0.00 7.24
TOTAL Cash & Equivalent		19,801.43				

Local Agency Investment Fund						
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City of Eureka
Account #140

Income Earned

11/30/08 Thru 12/31/08

CUSIP	Security/Description	Trade Date Settle Date	Units	Book Value: Begn		Book Value: Acq		Book Value: Disp		Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
				Book Value: End	Book Value: End	Book Value: End	Book Value: End	Book Value: End	Book Value: End			
90LAIF\$00	Local Agency Investment Fund State Pool		Various Various 100.00	100.00 0.00 0.00 100.00	100.00 0.00 0.00 100.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.15 0.00 0.83 0.68	0.00 0.00 0.00 0.68	0.00 0.00 0.00 0.68
TOTAL Local Agency Investment Fund				100.00	100.00	0.00 0.00 0.00	0.00 0.00 0.00	0.00 0.00 0.00	0.00 0.00 0.00	0.15 0.00 0.83 0.68	0.00 0.00 0.00 0.68	0.00 0.00 0.00 0.68
TOTAL PORTFOLIO				8,063,901.43	8,207,868.46	9,133,564.96 2,102,819.07 3,021,628.36 8,207,868.46	99,215.12 39,717.07 93,505.21 34,007.16	1,101.12 7,988.33 (6,887.21) 27,119.95	27,119.95			27,119.95



City of Eureka
Account #140

Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	GUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
01/15/2009	Dividend	90LAIF\$00	100.00	Local Agency Investment Fund State Pool	0.00	0.83	0.83
01/15/2009	Maturity	61746BAL0	300,000.00	Morgan Stanley Note 3.875% Due 1/15/2009	300,000.00	5,812.50	305,812.50
01/18/2009	Interest	31331VJ80	285,000.00	FFCB Note 5.375% Due 7/18/2011	0.00	7,659.38	7,659.38
01/18/2009	Interest	880591DN9	225,000.00	Tennessee Valley Authority Note 5.625% Due 1/18/2011	0.00	6,328.13	6,328.13
01/31/2009	Interest	912828FN5	325,000.00	US Treasury Note 4.875% Due 7/31/2011	0.00	7,921.88	7,921.88
Jan 2009					300,000.00	27,722.72	327,722.72
02/10/2009	Interest	31398AKX9	250,000.00	FNMA Note 3.25% Due 2/10/2010	0.00	4,062.50	4,062.50
02/10/2009	Interest	931142BE2	230,000.00	Wal-Mart Stores Note 6.875% Due 8/10/2009	0.00	7,906.25	7,906.25
02/12/2009	Interest	31398AKY7	250,000.00	FNMA Note 3.625% Due 2/12/2013	0.00	4,531.25	4,531.25
02/15/2009	Interest	3133MRM2	185,000.00	FHLB Note 4.75% Due 8/13/2010	0.00	4,393.75	4,393.75
02/18/2009	Interest	31331VSK3	245,000.00	FFCB Note 4.875% Due 2/18/2011	0.00	5,971.88	5,971.88
02/28/2009	Interest	912828EX4	295,000.00	US Treasury Note 4.5% Due 2/28/2011	0.00	6,637.50	6,637.50
02/28/2009	Interest	912828HC7	210,000.00	US Treasury Note 4.125% Due 8/31/2012	0.00	4,331.25	4,331.25
Feb 2009					0.00	37,834.38	37,834.38
03/15/2009	Interest	3134A3M78	130,000.00	FHLMC Note 6.625% Due 9/15/2009	0.00	4,306.25	4,306.25
03/15/2009	Maturity	929771AM5	249,000.00	Wachovia Corp Note 6.15% Due 3/15/2009	249,000.00	7,656.75	256,656.75
03/17/2009	Interest	3133XBB20	225,000.00	FHLB Note 4.375% Due 3/17/2010	0.00	4,921.88	4,921.88
03/22/2009	Interest	3128X3WY5	325,000.00	FHLMC Callable Note 1X 9/22/2006 4% Due 9/22/2009	0.00	6,500.00	6,500.00
03/31/2009	Interest	912828FU9	365,000.00	US Treasury Note 4.5% Due 9/30/2011	0.00	8,212.50	8,212.50
03/31/2009	Interest	912828HU7	45,000.00	US Treasury Note 1.75% Due 3/31/2010	0.00	393.75	393.75
Mar 2009					249,000.00	31,991.13	280,991.13
04/01/2009	Interest	075887AR0	225,000.00	Becton Dickinson Note 7.15% Due 10/1/2009	0.00	8,043.75	8,043.75



City of Eureka
Account #140

Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
04/09/2009	Interest	31398AMV1	150,000.00	FNMA Note 2.5% Due 4/9/2010	0.00	1,875.00	1,875.00
04/18/2009	Interest	3134A4VE1	250,000.00	FHLMC Note 4.125% Due 10/18/2010	0.00	5,156.25	5,156.25
04/25/2009	Interest	31331XWU2	250,000.00	FFCB Note 4.8% Due 4/25/2011	0.00	6,000.00	6,000.00
Apr 2009							
05/01/2009	Interest	423328BM4	180,000.00	Heller Financial Inc Note 7.375% Due 11/1/2009	0.00	21,075.00	21,075.00
05/15/2009	Interest	912828DU1	305,000.00	US Treasury Note 3.875% Due 5/15/2010	0.00	5,909.38	5,909.38
05/15/2009	Interest	912828EM8	300,000.00	US Treasury Note 4.5% Due 11/15/2010	0.00	6,750.00	6,750.00
05/15/2009	Interest	244199AY1	150,000.00	Deere & Co Note 7.85% Due 5/15/2010	0.00	5,887.50	5,887.50
05/15/2009	Maturity	02635PSP9	225,000.00	American General Finance Note 4.625% Due 5/15/2009	225,000.00	5,203.13	230,203.13
05/20/2009	Interest	31398APV8	250,000.00	FNMA Note 2.375% Due 5/20/2010	0.00	2,968.75	2,968.75
05/31/2009	Interest	912828GA2	360,000.00	US Treasury Note 4.5% Due 11/30/2011	0.00	8,100.00	8,100.00
May 2009							
06/01/2009	Interest	481247AA2	250,000.00	JP Morgan Chase FDIC Guaranteed Note 3.125% Due 12/1/2011	0.00	41,456.26	266,456.26
06/01/2009	Interest	020002AK7	150,000.00	Allstate Corp Note 7.2% Due 12/1/2009	0.00	3,884.55	3,884.55
06/06/2009	Interest	31331YGP9	125,000.00	FFCB Note 3.75% Due 12/6/2010	0.00	5,400.00	5,400.00
06/15/2009	Interest	857477AB9	175,000.00	State Street Bank Note 7.65% Due 6/15/2010	0.00	2,343.75	2,343.75
06/17/2009	Interest	3133XNHZ5	225,000.00	FHLMC Note 3.625% Due 12/17/2010	0.00	6,693.75	6,693.75
06/21/2009	Interest	949748AE7	250,000.00	Wells Fargo Corp Note 7.55% Due 6/21/2010	0.00	4,078.13	4,078.13
06/23/2009	Interest	06052AAA9	85,000.00	Bank of America Corp FDIC Guaranteed Note 1.7% Due 12/23/2010	0.00	9,437.50	9,437.50
Jun 2009							
07/18/2009	Interest	31331VJ80	285,000.00	FFCB Note 5.375% Due 7/18/2011	0.00	722.50	722.50
Jul 2009							
					0.00	32,560.18	32,560.18
					0.00	7,659.38	7,659.38
					0.00	21,909.39	21,909.39

Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
07/18/2009	Interest	880591DN9	225,000.00	Tennessee Valley Authority Note 5.625% Due 1/16/2011	0.00	6,328.13	6,328.13
07/31/2009	Interest	912828FN5	325,000.00	US Treasury Note 4.875% Due 7/31/2011	0.00	7,921.88	7,921.88
Jul 2009							
08/10/2009	Interest	31398AKX9	250,000.00	FNMA Note 3.25% Due 2/10/2010	0.00	21,909.39	21,909.39
08/10/2009	Maturity	931142BE2	230,000.00	Wal-Mart Stores Note 6.875% Due 8/10/2009	230,000.00	4,062.50	4,062.50
08/12/2009	Interest	31398AKY7	250,000.00	FNMA Note 3.625% Due 2/12/2013	0.00	7,906.25	237,906.25
08/15/2009	Interest	3133MRM2	185,000.00	FHLB Note 4.75% Due 8/13/2010	0.00	4,531.25	4,531.25
08/18/2009	Interest	31331VSK3	245,000.00	FFCB Note 4.875% Due 2/18/2011	0.00	4,393.75	4,393.75
08/31/2009	Interest	912828EX4	295,000.00	US Treasury Note 4.5% Due 2/28/2011	0.00	5,971.88	5,971.88
08/31/2009	Interest	912828HC7	210,000.00	US Treasury Note 4.125% Due 8/31/2012	0.00	6,637.50	6,637.50
Aug 2009							
09/15/2009	Maturity	3134A3M78	130,000.00	FHLMC Note 6.625% Due 9/15/2009	230,000.00	37,834.38	267,834.38
09/17/2009	Interest	3133XBB20	225,000.00	FHLB Note 4.375% Due 3/17/2010	0.00	4,306.25	134,306.25
09/22/2009	Maturity	3128X3WY5	325,000.00	FHLMC Callable Note 1X 9/22/2006 4% Due 9/22/2009	0.00	4,921.88	4,921.88
09/30/2009	Interest	912828HU7	45,000.00	US Treasury Note 1.75% Due 3/31/2010	325,000.00	6,500.00	331,500.00
09/30/2009	Interest	912828FU9	365,000.00	US Treasury Note 4.5% Due 9/30/2011	0.00	393.75	393.75
Sep 2009							
10/01/2009	Maturity	075887AR0	225,000.00	Becton Dickinson Note 7.15% Due 10/1/2009	455,000.00	8,212.50	8,212.50
10/09/2009	Interest	31398AMV1	150,000.00	FNMA Note 2.5% Due 4/9/2010	0.00	24,334.38	479,334.38
10/18/2009	Interest	3134A4VE1	250,000.00	FHLMC Note 4.125% Due 10/18/2010	225,000.00	8,043.75	233,043.75
10/25/2009	Interest	31331XWU2	250,000.00	FFCB Note 4.8% Due 4/25/2011	0.00	1,875.00	1,875.00
Oct 2009							
					225,000.00	5,156.25	5,156.25
					0.00	6,000.00	6,000.00
					21,075.00	246,075.00	246,075.00



City of Eureka
Account #140

Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
11/01/2009	Maturity	423328BM4	180,000.00	Heller Financial Inc Note 7.375% Due 11/1/2009	180,000.00	6,637.50	186,637.50
11/15/2009	Interest	912828EM8	300,000.00	US Treasury Note 4.5% Due 11/15/2010	0.00	6,750.00	6,750.00
11/15/2009	Interest	912828DU1	305,000.00	US Treasury Note 3.875% Due 5/15/2010	0.00	5,909.38	5,909.38
11/15/2009	Interest	244199AY1	150,000.00	Deere & Co Note 7.85% Due 5/15/2010	0.00	5,887.50	5,887.50
11/20/2009	Interest	31398APV8	250,000.00	FNMA Note 2.375% Due 5/20/2010	0.00	2,968.75	2,968.75
11/30/2009	Interest	912828GA2	360,000.00	US Treasury Note 4.5% Due 11/30/2011	0.00	8,100.00	8,100.00
Nov 2009					180,000.00	36,253.13	216,253.13
12/01/2009	Interest	481247AA2	250,000.00	JP Morgan Chase FDIC Guaranteed Note 3.125% Due 12/1/2011	0.00	3,906.25	3,906.25
12/01/2009	Maturity	020002AK7	150,000.00	Allstate Corp Note 7.2% Due 12/1/2009	150,000.00	5,400.00	155,400.00
12/06/2009	Interest	31331YGP9	125,000.00	FFCB Note 3.75% Due 12/6/2010	0.00	2,343.75	2,343.75
12/15/2009	Interest	857477AB9	175,000.00	Slate Street Bank Note 7.65% Due 6/15/2010	0.00	6,693.75	6,693.75
12/17/2009	Interest	3133XNHZ5	225,000.00	FHLB Note 3.625% Due 12/17/2010	0.00	4,078.13	4,078.13
12/21/2009	Interest	949748AE7	250,000.00	Wells Fargo Corp Note 7.55% Due 6/21/2010	0.00	9,437.50	9,437.50
12/23/2009	Interest	06052AAA9	85,000.00	Bank of America Corp FDIC Guaranteed Note 1.7% Due 12/23/2010	0.00	722.50	722.50
Dec 2009					150,000.00	32,581.88	182,581.88
Total					2,014,000.00	366,627.83	2,380,627.83



City of Eureka
December 31, 2008

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Treasury issues	10% minimum	Complies
Agency Issues	20% per issuer	Complies
Banker's Acceptances	A1/P1; <=40%; 180 days	Complies
Commercial Paper	A1/P1	Complies
Max. maturity < 270 days	25% maximum	Complies
Repurchase Agreements	10%; <=30 days	Complies
Mortgage Pass Throughs and Asset-Backed Securities	20%; AAA-rated	Complies
Time CDs	20%; Collateralized/ Insured; A1/P1; 180 days	Complies
Negotiable CDs	30%; A1/P1; 180 days	Complies
Medium Term Notes	30% maximum; A-rated	Complied at time of purchase*
CMO's	Prohibited	Complies
Rev. Repo Agreements	Prohibited	Complies
Inverse floaters, range notes	Prohibited	Complies
Interest only strips	Prohibited	Complies
Zero interest accruals	Prohibited	Complies
Per issuer maximum	5% (except gov'ts)	Complies
Average maturity	3 year maximum	Complies
Maximum maturity	5 years	Complies

* American General Finance (AGF) was downgraded by Fitch rating service during November 2008 to BBB from A. AGF is now rated Baa1/BBB/BBB by Moody's/Standard and Poor's/Fitch rating services. The downgrade was related to AGF's parent company, American International Group's, U.S. government financial support program modifications. The City owns \$225,000 of AGF maturing 5/15/2009. Chandler will continue to monitor and evaluate the current credit status of American General Finance going forward.



PORTFOLIO CHARACTERISTICS

Average Duration	1.01
Average Coupon	3.25 %
Average Purchase YTM	2.49 %
Average Market YTM	1.14 %
Average S&P Rating	AAA
Average Final Maturity	1.03 yrs
Average Life	1.03 yrs

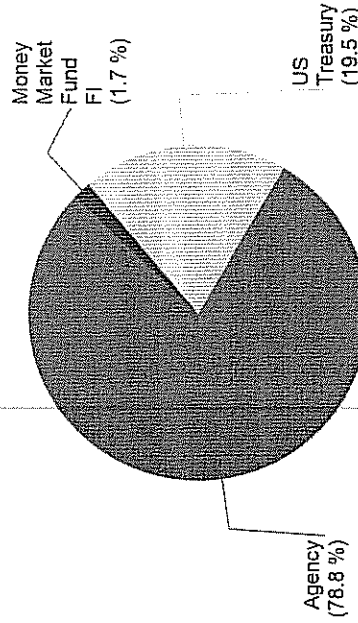
ACCOUNT SUMMARY

	Beg. Values as of 11/30/08	End Values as of 12/31/08
Market Value	103,632	104,076
Accrued Interest	528	868
Total Market Value	104,160	104,944
Income Earned	236	220
Cont/WD		0
Par	102,742	101,813
Book Value	102,617	102,496
Cost Value	102,736	102,647

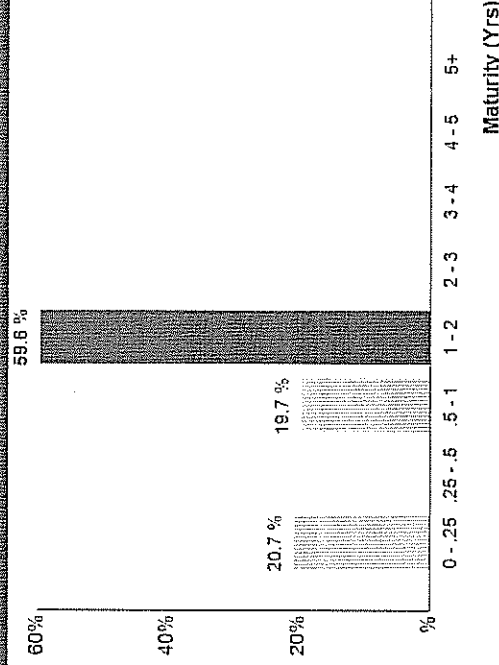
TOP ISSUERS

Issuer	% Portfolio
Federal Farm Credit Bank	20.2 %
Federal Home Loan Mortgage Corp	20.0 %
Federal Home Loan Bank	19.7 %
Government of United States	19.5 %
Fannie Mae	19.0 %
Dreyfus Institutional Reserves	1.7 %
	100.0 %

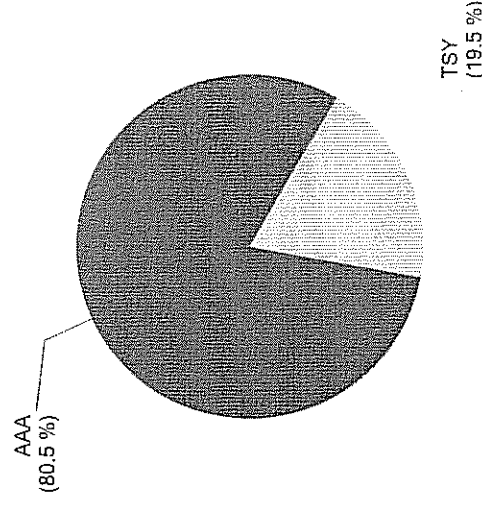
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY



PERFORMANCE REVIEW

Total Rate of Return As of 12/31/2008	Current Month	Latest 3 Months	Year To Date	1 Yr	3 Yrs	Annualized 5 Yrs	Since 7/31/2008
City of Eureka Dredging and Capital Fund	0.75 %	2.12 %	N/A	N/A	N/A	N/A	2.62 %



Holdings Report

As of 12/31/08

GUSIP	Security Description	Par Value/Units	Purchase Date	Cost Value	Mkt Price	Market Value	% of Port.	Moody	Term (yrs)
AGENCY			Book Yield	Book Value	Mkt YTM	Accrued Int.	Gain/Loss	S&P	Duration
313589CZ4	FNMA Discount Note 2.8% Due 3/13/2009	20,000.00	07/30/2008 2.88 %	19,650.00 19,650.00	98.25 2.88 %	19,650.00 239.56	18.95 % 0.00	P-1 A-1+	0.20 0.19
3133MTRK6	FHLB Note 4% Due 11/13/2009	20,000.00	07/30/2008 3.01 %	20,243.98 20,164.04	102.91 0.63 %	20,581.26 102.22	19.71 % 417.22	Aaa AAA	0.87 0.86
31331XWL2	FFCB Note 4.75% Due 5/7/2010	20,000.00	07/30/2008 3.19 %	20,532.30 20,405.21	105.22 0.85 %	21,043.76 142.50	20.19 % 638.55	Aaa AAA	1.35 1.31
3137EABQ1	FHLMC Note 3.25% Due 7/16/2010	20,000.00	12/30/2008 1.16 %	20,636.70 20,634.44	103.28 1.09 %	20,656.26 294.31	19.96 % 21.82	Aaa AAA	1.54 1.50
Total Agency		80,000.00	2.55 %	81,062.98 80,853.69	1.35 %	81,931.28 778.59	78.81 % 1,077.59	Aaa AAA	1.00 0.98
MONEY MARKET FUND FI									
26200X845	Dreyfus Funds Inst'l Reserve Treasury #6541	1,813.08	Various 0.01 %	1,813.08 1,813.08	1.00 0.01 %	1,813.08 0.00	1.73 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		1,813.08	0.01 %	1,813.08 1,813.08	0.01 %	1,813.08 0.00	1.73 % 0.00	Aaa AAA	0.00 0.00
US TREASURY									
912828HU7	US Treasury Note 1.75% Due 3/31/2010	20,000.00	07/30/2008 2.45 %	19,771.16 19,829.12	101.66 0.42 %	20,331.26 89.42	19.46 % 502.14	TSY TSY	1.25 1.23
Total US Treasury		20,000.00	2.45 %	19,771.16 19,829.12	0.42 %	20,331.26 89.42	19.46 % 502.14	TSY TSY	1.25 1.23
TOTAL PORTFOLIO		101,813.08	2.49 %	102,647.22 102,495.89	1.14 %	104,075.62 868.01	100.00 % 1,579.73	Aaa AAA	1.03 1.01
TOTAL MARKET VALUE PLUS ACCRUED						104,943.63			



Transaction Ledger

11/30/08 Thru 12/31/08

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/02/2008	26200X845	0.17	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	0.17	0.00	0.17	0.00
Purchase	12/19/2008	26200X845	20,000.00	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	20,000.00	0.00	20,000.00	0.00
Purchase	12/30/2008	3137EABQ1	20,000.00	FHLMC Note 3.25% Due 7/16/2010	103.184	1.16 %	20,636.70	292.50	20,929.20	0.00
	Subtotal		40,000.17				40,636.87	292.50	40,929.37	0.00
TOTAL ACQUISITIONS			40,000.17				40,636.87	292.50	40,929.37	0.00
DISPOSITIONS										
Sale	12/30/2008	26200X845	20,929.20	Dreyfus Funds Inst'l Reserve Treasury #6541	1.000	0.07 %	20,929.20	0.00	20,929.20	0.00
	Subtotal		20,929.20				20,929.20	0.00	20,929.20	0.00
Maturity	12/19/2008	313396T86	20,000.00	FHLMC Discount Note 2.6% Due 12/19/2008	100.000		19,796.33	203.67	20,000.00	0.00
	Subtotal		20,000.00				19,796.33	203.67	20,000.00	0.00
TOTAL DISPOSITIONS			40,929.20				40,725.53	203.67	40,929.20	0.00
OTHER TRANSACTIONS										
Dividend	12/02/2008	26200X845	2,742.11	Dreyfus Funds Inst'l Reserve Treasury #6541	0.000		0.17	0.00	0.17	0.00
	Subtotal		2,742.11				0.17	0.00	0.17	0.00
TOTAL OTHER TRANSACTIONS			2,742.11				0.17	0.00	0.17	0.00



Income Earned

11/30/08 Thru 12/31/08

CUSIP	Security Description	Trade Date Settle Date	Units	Book Value: Begin	Book Value: Acq	Book Value: Disp	Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
Fixed Income										
31331XWL2	FFCB Note 4.75% Due 05/07/2010	07/30/2008 07/31/2008 20,000.00		20,430.79 0.00 0.00				63.33 0.00 142.50 79.17	0.00 25.58 (25.58) 53.59	0.00 0.00 53.59
3133MTRK6	FHLB Note 4% Due 11/13/2009	07/30/2008 07/31/2008 20,000.00		20,180.13 0.00 0.00				35.56 0.00 102.22 66.66	0.00 16.09 (16.09) 50.57	0.00 0.00 50.57
3137EABQ1	FHLMC Note 3.25% Due 07/16/2010	12/30/2008 12/30/2008 20,000.00		0.00 20,636.70 0.00				0.00 (292.50) 294.31 1.81	0.00 2.26 (2.26) (0.45)	0.00 0.00 0.00 (0.45)
912828HU7	US Treasury Note 1.75% Due 03/31/2010	07/30/2008 07/31/2008 20,000.00		19,817.45 0.00 0.00				59.62 0.00 89.42 29.80	11.67 0.00 11.67 41.47	11.67 0.00 11.67 41.47
				60,428.37 (292.50) 20,636.70 0.00				158.51 (292.50) 628.45 177.44	11.67 43.93 (32.26) 145.18	0.00 0.00 0.00 145.18
TOTAL Fixed Income										
		80,000.00								
Cash & Equivalent										
26200X845	Dreyfus Funds Inst'l Reserve Treasury #6541	Various Various 1,813.08		2,742.11 20,000.17 20,929.20 1,813.08				0.00 0.17 0.00 0.17	0.00 0.00 0.00 0.17	0.00 0.00 0.00 0.17
313396T86	FHLMC Discount Note Due 12/19/2008	07/30/2008 07/31/2008 0.00		19,796.33 0.00 19,796.33 0.00				177.67 203.67 0.00 26.00	0.00 0.00 0.00 26.00	0.00 0.00 0.00 26.00
313589CZ4	FNMA Discount Note 2.8% Due 03/13/2009	07/30/2008 07/31/2008 20,000.00		19,650.00 0.00 0.00				191.33 0.00 239.56 48.23	0.00 0.00 0.00 48.23	0.00 0.00 0.00 48.23
				42,188.44 20,000.17 40,725.53 21,463.08				369.00 203.84 239.56 74.40	0.00 0.00 0.00 74.40	0.00 0.00 0.00 74.40
TOTAL Cash & Equivalent										
		21,813.08								

TOTAL PORTFOLIO		102,616.81	527.51	11.67
		40,636.87	(88.66)	43.93
		40,725.53	868.01	(32.26)
	101,813.08	102,495.89	251.84	219.58
				0.00
				219.58



Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
03/13/2009	Maturity	313589CZ4	20,000.00	FNMA Discount Note 2.8% Due 3/13/2009	19,650.00	350.00	20,000.00
03/31/2009	Interest	912828HU7	20,000.00	US Treasury Note 1.75% Due 3/31/2010	0.00	175.00	175.00
Mar 2009					19,650.00	525.00	20,175.00
05/07/2009	Interest	31331XWL2	20,000.00	FFCB Note 4.75% Due 5/7/2010	0.00	475.00	475.00
05/15/2009	Interest	3133MTRK6	20,000.00	FHLB Note 4% Due 11/13/2009	0.00	400.00	400.00
May 2009					0.00	875.00	875.00
07/16/2009	Interest	3137EABQ1	20,000.00	FHLMC Note 3.25% Due 7/16/2010	0.00	646.39	646.39
Jul 2009					0.00	646.39	646.39
09/30/2009	Interest	912828HU7	20,000.00	US Treasury Note 1.75% Due 3/31/2010	0.00	175.00	175.00
Sep 2009					0.00	175.00	175.00
11/07/2009	Interest	31331XWL2	20,000.00	FFCB Note 4.75% Due 5/7/2010	0.00	475.00	475.00
11/13/2009	Maturity	3133MTRK6	20,000.00	FHLB Note 4% Due 11/13/2009	20,000.00	395.56	20,395.56
Nov 2009					20,000.00	870.56	20,870.56
Total					39,650.00	3,091.95	42,741.95



PORTFOLIO CHARACTERISTICS

Average Duration	0.00
Average Coupon	2.17 %
Average Purchase YTM	2.17 %
Average Market YTM	2.17 %
Average S&P Rating	NR
Average Final Maturity	0.00 yrs
Average Life	0.00 yrs

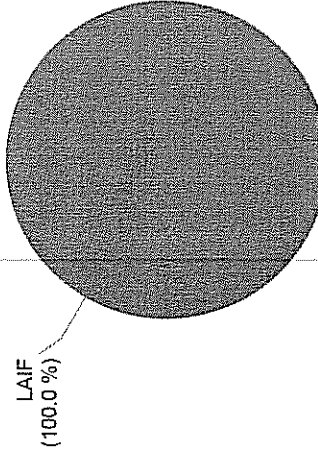
ACCOUNT SUMMARY

	Beg. Values as of 11/30/08	End Values as of 12/31/08
Market Value	355,194	690,194
Accrued Interest	1,558	2,287
Total Market Value	356,752	692,481
Income Earned	748	729
Cont/WD		
Par	355,194	690,194
Book Value	355,194	690,194
Cost Value	355,194	690,194

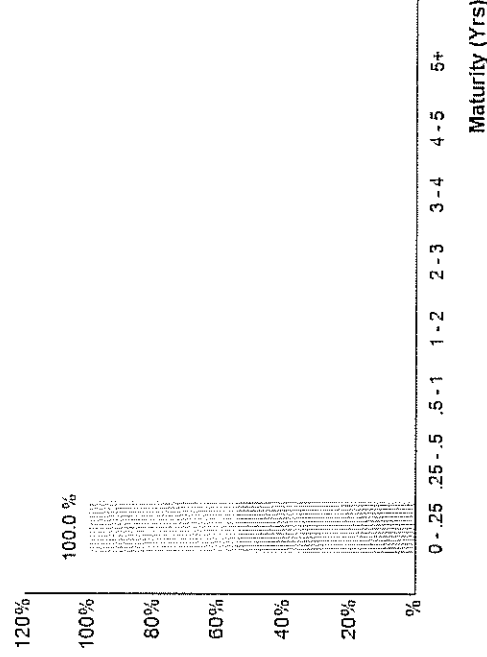
TOP ISSUERS

Issuer	% Portfolio
STIF	100.0 %
	100.0 %

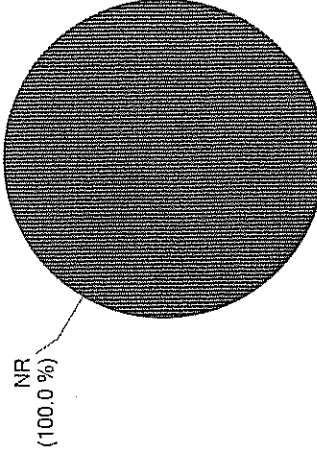
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY





Holdings Report

As of 12/31/08

CUSIP	Security Description	Par Value/Units	Purchase Date	Cost Value	Mkt Price	Market Value	% of Port.	Moody	Term (yrs)
LAIF			Book Yield	Book Value	Mkt YTM	Accrued Int.	Gain/Loss	S&P	Duration
90LAIF\$00	Local Agency Investment Fund State Pool	690,194.11	Various 2.17 %	690,194.11 690,194.11	1.00 2.17 %	690,194.11 2,287.29	100.00 % 0.00	NR NR	0.00 0.00
Total LAIF		690,194.11	2.17 %	690,194.11 690,194.11	2.17 %	690,194.11 2,287.29	100.00 % 0.00	NR NR	0.00 0.00
TOTAL PORTFOLIO		690,194.11	2.17 %	690,194.11 690,194.11	2.17 %	690,194.11 2,287.29	100.00 % 0.00	NR NR	0.00 0.00
TOTAL MARKET VALUE PLUS ACCRUED						692,481.40			



Transaction Ledger

11/30/08 Thru 12/31/08

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Security Contribution	12/31/2008	90LAIF\$00	335,000.00	Local Agency Investment Fund State Pool	1.000		335,000.00	0.00	335,000.00	0.00
	Subtotal		335,000.00				335,000.00	0.00	335,000.00	0.00
TOTAL ACQUISITIONS			335,000.00				335,000.00	0.00	335,000.00	0.00



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
Local Agency Investment Fund						
90LAIF\$00	Local Agency Investment Fund State Pool	Various Various 690,194.11	355,194.11 335,000.00 0.00 690,194.11	1,558.18 0.00 2,287.29 729.11	0.00 0.00 0.00 729.11	0.00 0.00 0.00 729.11
TOTAL Local Agency Investment Fund						
		690,194.11	355,194.11 335,000.00 0.00 690,194.11	1,558.18 0.00 2,287.29 729.11	0.00 0.00 0.00 729.11	0.00 0.00 0.00 729.11
TOTAL PORTFOLIO						
		690,194.11	355,194.11 335,000.00 0.00 690,194.11	1,558.18 0.00 2,287.29 729.11	0.00 0.00 0.00 729.11	0.00 0.00 0.00 729.11



Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
01/15/2009	Dividend	90LALF\$00	355,194.11	Local Agency Investment Fund State Pool	0.00	2,267.43	2,267.43
Jan 2009					0.00	2,267.43	2,267.43
Total					0.00	2,267.43	2,267.43



Holdings Report

As of 12/31/08

CUSIP	Security Description	Par Value/Units	Purchase Date	Cost Value	Mkt Price	Market Value	% of Port.	Moody	Term (yrs)
			Book Yield	Book Value	Mkt YTM	Accrued Int.	Gain/Loss	S&P	Duration
LAIF									
90LAIF\$00	Local Agency Investment Fund State Pool	2,528,920.00	Various 2.17 %	2,528,920.00 2,528,920.00	1.00 2.17 %	2,528,920.00 3,572.27	100.00 % 0.00	NR NR	0.00 0.00
Total LAIF		2,528,920.00	2.17 %	2,528,920.00 2,528,920.00	2.17 %	2,528,920.00 3,572.27	100.00 % 0.00	NR NR	0.00 0.00
TOTAL PORTFOLIO									
		2,528,920.00	2.17 %	2,528,920.00 2,528,920.00	2.17 %	2,528,920.00 3,572.27	100.00 % 0.00	NR NR	0.00 0.00
TOTAL MARKET VALUE PLUS ACCRUED						2,532,492.27			



Transaction Ledger

11/30/08 Thru 12/31/08

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Security Contribution	12/29/2008	90LAIF\$00	2,500,000.00	Local Agency Investment Fund State Pool	1.000		2,500,000.00	0.00	2,500,000.00	0.00
	Subtotal		2,500,000.00				2,500,000.00	0.00	2,500,000.00	0.00
TOTAL ACQUISITIONS			2,500,000.00				2,500,000.00	0.00	2,500,000.00	0.00
DISPOSITIONS										
Security Withdrawal	12/04/2008	90LAIF\$00	700,000.00	Local Agency Investment Fund State Pool	1.000		700,000.00	0.00	700,000.00	0.00
	Subtotal		700,000.00				700,000.00	0.00	700,000.00	0.00
TOTAL DISPOSITIONS			700,000.00				700,000.00	0.00	700,000.00	0.00



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
Local Agency Investment Fund						
90LAIF\$00	Local Agency Investment Fund State Pool	Various Various 2,528,920.00	728,920.00 2,500,000.00 700,000.00 2,528,920.00	2,926.87 0.00 3,572.27 645.40	0.00 0.00 0.00 645.40	0.00 0.00 0.00 645.40
TOTAL Local Agency Investment Fund						
		2,528,920.00	728,920.00 2,500,000.00 700,000.00 2,528,920.00	2,926.87 0.00 3,572.27 645.40	0.00 0.00 0.00 645.40	0.00 0.00 0.00 645.40
TOTAL PORTFOLIO						
		2,528,920.00	728,920.00 2,500,000.00 700,000.00 2,528,920.00	2,926.87 0.00 3,572.27 645.40	0.00 0.00 0.00 645.40	0.00 0.00 0.00 645.40



Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
01/15/2009	Dividend	90LAIF\$00	2,528,920.00	Local Agency Investment Fund State Pool	0.00	540.89	540.89
Jan 2009					0.00	540.89	540.89
Total					0.00	540.89	540.89



PORTFOLIO CHARACTERISTICS

Average Duration	0.00
Average Coupon	2.17 %
Average Purchase YTM	2.17 %
Average Market YTM	2.17 %
Average S&P Rating	NR
Average Final Maturity	0.00 yrs
Average Life	0.00 yrs

ACCOUNT SUMMARY

	Beg. Values as of 11/30/08	End Values as of 12/31/08
Market Value	728,920	2,528,920
Accrued Interest	2,927	3,572
Total Market Value	731,847	2,532,492
Income Earned	838	645
Cont'd		1,800,000
Par	728,920	2,528,920
Book Value	728,920	2,528,920
Cost Value	728,920	2,528,920

TOP ISSUERS

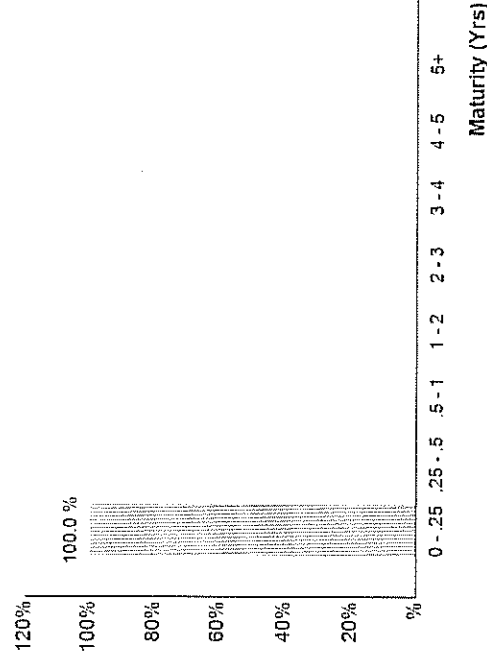
Issuer
STIF

% Portfolio
100.0 %
100.0 %

SECTOR ALLOCATION

LAIF
(100.0 %)

MATURITY DISTRIBUTION



CREDIT QUALITY

NR
(100.0 %)

PERFORMANCE REVIEW

Total Rate of Return As of 12/31/2008	Current Month	Latest 3 Months	Year To Date	1 Yr	Annualized 5 Yrs	Since 5/31/2005
City of Eureka LAIF Account	0.23 %	0.67 %	3.16 %	3.16 %	N/A	N/A



Holdings Report
As of 12/31/08

GUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
LAIF									
90LAIF\$00	Local Agency Investment Fund State Pool	2,528,920.00	Various 2.17 %	2,528,920.00 2,528,920.00	1.00 2.17 %	2,528,920.00 3,572.27	100.00 % 0.00	NR NR	0.00 0.00
Total LAIF		2,528,920.00	2.17 %	2,528,920.00 2,528,920.00	2.17 %	2,528,920.00 3,572.27	100.00 % 0.00	NR NR	0.00 0.00
TOTAL PORTFOLIO		2,528,920.00	2.17 %	2,528,920.00 2,528,920.00	2.17 %	2,528,920.00 3,572.27	100.00 % 0.00	NR NR	0.00 0.00
TOTAL MARKET VALUE PLUS ACCRUED						2,532,492.27			



Transaction Ledger
11/30/08 Thru 12/31/08

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Security Contribution	12/29/2008	90LAIF\$00	2,500,000.00	Local Agency Investment Fund State Pool	1.000		2,500,000.00	0.00	2,500,000.00	0.00
	Subtotal		2,500,000.00				2,500,000.00	0.00	2,500,000.00	0.00
TOTAL ACQUISITIONS			2,500,000.00				2,500,000.00	0.00	2,500,000.00	0.00
DISPOSITIONS										
Security Withdrawal	12/04/2008	90LAIF\$00	700,000.00	Local Agency Investment Fund State Pool	1.000		700,000.00	0.00	700,000.00	0.00
	Subtotal		700,000.00				700,000.00	0.00	700,000.00	0.00
TOTAL DISPOSITIONS			700,000.00				700,000.00	0.00	700,000.00	0.00



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending / Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Unreal G/L Total Income
Local Agency Investment Fund						
90LAIF\$00	Local Agency Investment Fund State Pool	Various Various 2,528,920.00	728,920.00 2,500,000.00 700,000.00 2,528,920.00	2,926.87 0.00 3,572.27 645.40	0.00 0.00 0.00 645.40	0.00 645.40
TOTAL Local Agency Investment Fund						
		2,528,920.00	728,920.00 2,500,000.00 700,000.00 2,528,920.00	2,926.87 0.00 3,572.27 645.40	0.00 0.00 0.00 645.40	0.00 645.40
TOTAL PORTFOLIO						
		2,528,920.00	728,920.00 2,500,000.00 700,000.00 2,528,920.00	2,926.87 0.00 3,572.27 645.40	0.00 0.00 0.00 645.40	0.00 645.40



Cash Flow Report

From 12/31/2008

Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
01/15/2009	Dividend	90LAIF\$00	2,528,920.00	Local Agency Investment Fund State Pool	0.00	540.89	540.89
Jan 2009					0.00	540.89	540.89
Total					0.00	540.89	540.89

AGENDA SUMMARY

RE: Water Improvements 2009

For Agenda Date: February 3, 2009

Agenda Item No.: 6

RECOMMENDATION:

Council authorize staff to create a new project for the Water Improvements Project 2009, and transfer funds into a new project account in preparation for preparing plans and specifications for construction.

SUMMARY OF THE ISSUE:

The Water Improvements 2009 Project is the annual maintenance and replacement project outlined for the water distribution system in the 2008-2013 Capital Improvement Program. This project will replace broken water valves at various locations throughout Eureka. Maintaining the City's water system in good working order by replacing deficient valves is essential to ensuring continued public health and safety in the City. Valves in need of replacement are identified by the Public Works Water Division.

Staff is requesting Council to authorize staff to create a new project and to transfer Water Reserve funds into a new project account in preparation for construction this summer. Once staff has completed project design and advertised for public bids, the recommended construction contract will be brought to Council for award to the qualified low bidder.

Prepared by: Carolyn McKenna, Assistant Engineer 

FISCAL IMPACT:

Expenditures: \$150,000

Funding Source: Water Reserve Funds

CE SIGN:


Kurt E. Gierlich,
City Engineer

CM SIGN:


David W. Tyson,
City Manager

REVIEWED BY:

DATE:

INITIALS:

CA

1-22-09

SS

FI

1-27-09

VW

PW

1-27-09

MK

COUNCIL ACTION:

Ordinance No.

Resolution No.

City of Eureka

AGENDA SUMMARY

**RE: Biosolids Dewatering Facility Phase 2
for Wastewater Treatment Plant
Professional Services Contract**

For Agenda Date: February 3, 2009

Agenda Item No.: 7

RECOMMENDATION:

Council authorize staff to negotiate and execute a contract with SHN Consulting Engineers and Geologists and their project team for Engineering Design of Phase 2 of the Biosolids Dewatering Facility at the Elk River Wastewater Treatment plant in order to have a 'shovel ready' project in anticipation of the forthcoming Federal Economic Stimulus package, for an amount not to exceed \$160,000.

SUMMARY OF THE ISSUE:

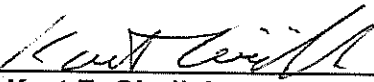
On October 4, 2005 Council authorized staff to execute a contract with SHN for the design of the first phase the Biosolids Dewatering Facility at the Elk River Wastewater Treatment plant, which is currently under construction.

In preparation for the forthcoming Economic Stimulus package City staff have been formulating lists of priority projects that will satisfy the time frames of being 'shovel-ready' in 90 days, 180 days, 360 days, and 2 years. Phase 2 of the Biosolids Dewatering Facility is listed as a priority project. To assist in this effort staff is requesting authorization to negotiate and execute a consultant services agreement with SHN Consulting Engineers and Geologists for engineering design for Phase 2 of the Biosolids Dewatering project.

FISCAL IMPACT:

Expenditures: Appropriate \$160,000 from Wastewater Reserves, with \$51,360 to be reimbursed by the Humboldt Community Services District in accordance with the Wastewater Agreement.

CE SIGN:



Kurt E. Gierlich,
City Engineer

CM SIGN:



David W. Tyson,
City Manager

REVIEWED BY:

DATE:

INITIALS:

CA

1-28-09

SS

FI

1-28-09

VW

PW

1-28-09

MX

COUNCIL ACTION:

Ordinance No.

Resolution No.

AGENDA SUMMARY

**RE: Biosolids Dewatering Facility Phase 2
for Wastewater Treatment Plant
Professional Services Contract**

For Agenda Date: February 3, 2009

Page Two

SUMMARY OF THE ISSUE: (Continued)

SHN has committed that they can have a 'shovel-ready' project prepared within 90 days after being given the authorization to proceed. Staff feels that SHN is well qualified and well positioned to complete the next phase of this important project.

The Biosolids Dewatering Facility Phase 2 project consists of the construction of a building wing to house a mechanical screw press and other mechanical equipment for dewatering and processing biosolids, and the purchase and installation of the mechanical equipment. Construction cost for Phase 2 has been estimated at approximately \$2.85 Million. Staff would like to be in the position to have the Economic Stimulus monies fund the lion's share of this project.

Staff is requesting that Council authorize staff to negotiate and execute a contract with the SHN project team for Final Engineering Design and Bid-ready Plans and Specifications for the Biosolids Dewatering Facility Phase 2 project, for an amount not to exceed \$ 160,000.

AGENDA SUMMARY

RE: MAD RIVER PIPELINE PROJECT--
Phase 4

For Agenda Date: February 3, 2009

Agenda Item No.:

8

RECOMMENDATION:

Council authorize staff to negotiate and execute an agreement for engineering design and geotechnical investigation for Phase 4 of the Mad River Pipeline project in order to have a 'shovel ready' project in anticipation of the forthcoming Federal Economic Stimulus package, with Oscar Larson and Associates of Eureka for an amount not to exceed \$150,000.

SUMMARY OF THE ISSUE:

In preparation for the forthcoming Economic Stimulus package City staff have been formulating lists of priority projects that will satisfy the time frames of being 'shovel-ready' in 90 days, 180 days, 360 days, and 2 years. Phase 4 of the Mad River Pipeline project is listed as a priority project. To assist in this effort staff is requesting authorization to negotiate and execute a consultant services agreement with Oscar Larson and Associates (OLA) for engineering design and geotechnical services for Phase 4 of the Mad River Pipeline project.

Given the current level of staffing in the engineering department there is insufficient personnel to design this project in time to be positioned to capitalize on upcoming Economic Stimulus funds. OLA has indicated that they can have a 'shovel-ready' project prepared within 90 days after given the authorization to proceed. Staff feels that OLA is well qualified to do this work.

- continued on following page -

FISCAL IMPACT:

Expenditures: \$150,000 from existing Water Bond proceeds

DH SIGN:


Kurt E. Gierlich
City Engineer

CM SIGN:


David W. Tyson
City Manager

REVIEWED BY:

DATE:

INITIALS:

CA
FIN
PW

1-28-09
1-28-09
1-28-09

SS
VW
mk

COUNCIL ACTION:

Ordinance No.

Resolution No.

AGENDA SUMMARY

**RE: MAD RIVER PIPELINE PROJECT--
Phase 4**

For Agenda Date: February 3, 2009

Page Two

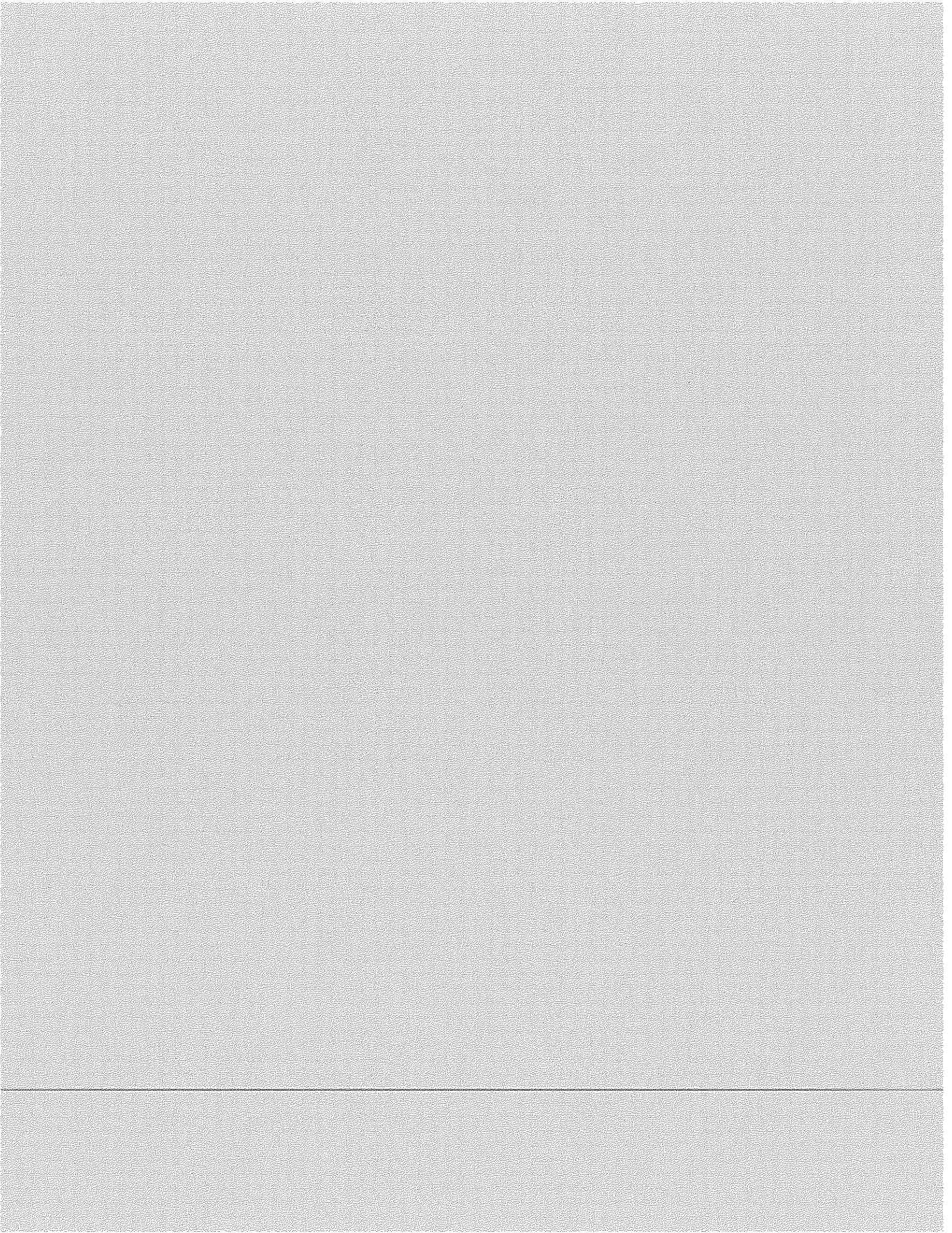
SUMMARY OF THE ISSUE: (Continued)

Oscar Larson and Associates has a long history of successfully completed work on the Mad River Pipeline project, and is well positioned to complete the next phase of this important work. OLA was initially awarded the Mad River Pipeline Phase 1 Evaluation on January 20, 1998. Their consultant team was selected from three teams interviewed; the other teams interviewed but not selected were Winzler & Kelly/Kennedy Jenks, and SHN/Boyle Engineering.

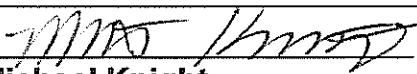
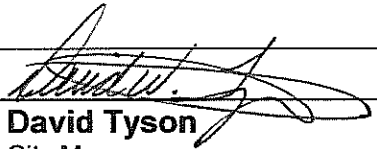
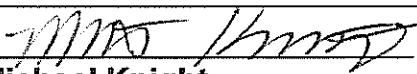
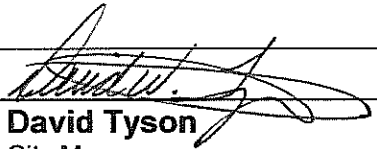
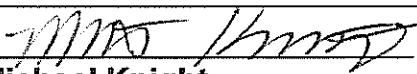
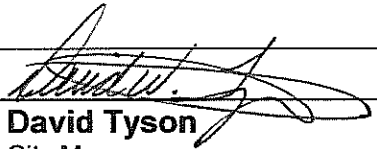
A provision of the Request for Proposals for the Mad River Pipeline Evaluation stated that the City intends to continue using the chosen consultant team for all subsequent phases of the Mad River Pipeline project, provided the City is satisfied with the consultant's performance. The pipeline evaluation work resulted in a Final Planning Report published by OLA in September, 1999. The report identified the various pipeline reaches for future capital improvement projects.

Subsequent work successfully completed by OLA has been the preparation of a programmatic Environmental Impact Report to cover all future phases of the Mad River Pipeline project work, and engineering design and construction administration of construction phases 1-3 of the Mad River Pipeline Improvement project in the years 2002 through 2006. Phase 4 consists of constructing two separate sections of parallel pipeline; 1) in Arcata from 7th Street to the Highway Patrol Station on Samoa Blvd.; 2) in Eureka from the Ryan Slough Water Pump Station to Frank Street and Pennsylvania Ave. in Myrtle town. Construction cost for the two pipeline sections in Phase 4 is estimated at around \$1.3 Million.

Staff is requesting that Council authorize staff to negotiate and execute a contract with Oscar Larson and Associates Consulting Engineers for an amount not to exceed \$150,000 for engineering design and geotechnical services for the Mad River Pipeline Phase 4.



City of Eureka ~ City Council
AGENDA SUMMARY

RE: Sewer Use Ordinance Amendment	FOR AGENDA DATE: February 3, 2009 AGENDA ITEM No.: 9			
RECOMMENDATION: 1. Waive reading, read by title only, and adopt Bill NO. 800- C.S., an ordinance amending Eureka Municipal Code, Title V, Chapter 50, amending Sections 50.001 through 50.999 and adding new Sections 50.040 through 50.046 pertaining to Sewers.				
SUMMARY OF THE ISSUE: On January 20, 2009, the City Council introduced Bill NO. 800- C.S., an ordinance amending Eureka Municipal Code, Title V, Chapter 50, amending Sections 50.001 through 50.999 and adding new Sections 50.040 through 50.046 pertaining to Sewers. The ordinance is back before Council for adoption. By way of background, Tetra Tech, on behalf of the North Coast Regional Water Quality Control Board (Regional Board), conducted a Pretreatment Compliance Inspection (PCI) of the Elk River Wastewater Treatment Plant in November 2007. A Summary Report was prepared by Tetra Tech that identified among other things the need to update the City's Sewer Use Ordinance in order to stay in compliance with federal pretreatment regulations and with the City's NPDES permit. Subsequently, the Regional Board issued a Notice of Violation in July 2008 requiring the City to correct the deficiencies identified in the Summary Report. <p style="text-align: center;">(continued)</p>				
FISCAL IMPACT: None.				
<table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top;">Signature:  Michael Knight Assistant City Manager-Operations</td><td style="width: 50%; vertical-align: top;">Signature:  David Tyson City Manager</td></tr></table>		Signature:  Michael Knight Assistant City Manager-Operations	Signature:  David Tyson City Manager	
Signature:  Michael Knight Assistant City Manager-Operations	Signature:  David Tyson City Manager			
<table style="width: 100%; border: none;"><tr><td style="width: 33%; vertical-align: top;">REVIEWED BY: City Attorney Finance Department</td><td style="width: 33%; vertical-align: top;">DATE: <u>1-28-09</u> <u>1-28-09</u></td><td style="width: 33%; vertical-align: top;">INITIALS: <u>SS</u> <u>W</u></td></tr></table>		REVIEWED BY: City Attorney Finance Department	DATE: <u>1-28-09</u> <u>1-28-09</u>	INITIALS: <u>SS</u> <u>W</u>
REVIEWED BY: City Attorney Finance Department	DATE: <u>1-28-09</u> <u>1-28-09</u>	INITIALS: <u>SS</u> <u>W</u>		
COUNCIL ACTION: Ordinance No. _____	Resolution No. _____			

City of Eureka ~ City Council
AGENDA SUMMARY

RE Sewer Use Ordinance Amendment

FOR AGENDA DATE: February 3, 2009
AGENDA ITEM No.:

Staff has worked with Regional Board staff and the City Attorney to prepare an ordinance amendment to Eureka Municipal Code Chapter 50 "Sewers" in conformance with comments contained in the Summary Report.

In addition to addressing the ordinance deficiencies noted in the Summary Report, Bill No. 800-C.S. contains amendments recommended by the City Attorney and adds provisions for permitting waste grease haulers that serve restaurants and other food service establishments in the City. Grease hauler permit requirements are found in new sections 50.040 through 50.046. The new requirements for grease haulers will help the City ensure that the servicing of grease interceptors is being conducted adequately and in accordance with applicable laws.

When Bill No. 800-C.S. was introduced at the January 20th City Council meeting, the City Attorney recommended a minor amendment to replace the word "user" where ever it appears in Sections 50.123 through 50.127 with the word "person". Bill No. 800-C.S. has been amended to include this minor change.

Attached is Bill No. 800-C.S. in its entirety and final bill form. Attachment "B" includes a summary of changes which describes the purpose and content of all recommended changes.

Staff recommends Council:

Waive reading, read by title only, and adopt Bill NO. 800- C.S., an ordinance amending Eureka Municipal Code, Title V, Chapter 50, amending Sections 50.001 through 50.999 and adding new Sections 50.040 through 50.046 pertaining to Sewers.

Attachments:

1. Bill NO. 800-C.S.
2. Summary of changes

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING EUREKA
MUNICIPAL CODE TITLE V, CHAPTER 50, BY AMENDING SECTIONS
50.001 through 50.999 AND ADDING NEW SECTIONS 50.040 through 50.046
PERTAINING TO SEWERS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

Section 1.

The following sections are hereby amended/added to Title V, Chapter 50:
Sections 50.001 through 50.999, Title "Sewers" to read as follows:

Sewers

GENERAL PROVISIONS

§ 50.001 PURPOSE AND POLICY.

(A) *Purpose.* This chapter sets forth uniform requirements for users of the wastewater collection and Publicly Owned Treatment Works (POTW) for the city. This chapter shall apply to all persons using the POTW. It provides for the setting of user charges and fees for the equitable distribution of costs to all users. Revenues derived from the application of the provisions of this chapter shall be used to defray the city's cost of operating and maintaining an adequate wastewater collection and treatment system and to provide sufficient funds for capital outlay, bond service costs, capital improvements depreciation and pretreatment. This chapter also enables the City to comply with all applicable state and federal laws including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403).

(B) *Objectives.* The objectives of this chapter are:

- (1) To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;
- (2) To prevent the introduction of pollutants into the POTW which may pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
- (3) To ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations;

designated to oversee the operation and performance of the activities of the government facility;

(4) The individuals described in subsections (1) through (3) of this definition may designate another *AUTHORIZED REPRESENTATIVE* if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

BEST MANAGEMENT PRACTICES (BMP). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 50.020, 50.021, 50.022. of this chapter. BMP also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five-day 20° centigrade expressed in terms of mass and concentration milligrams per liter (mg/l).

BUILDING SEWER OR LATERAL. A sewer conveying wastewater from the premises of a user to the POTW.

CATEGORICAL PRETREATMENT STANDARD or *CATEGORICAL STANDARD*. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307 (b) and (c) of the Act (33 USC 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

CITY. The City of Eureka, California or the City Council of Eureka.

CITY MANAGER or *MANAGER*. The person designated by the city to manage the operation of the POTW, and who is charged with certain duties and responsibilities by this chapter or his duly authorized representative.

COLOR. The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent transmittance is equivalent to zero (0.0) optical density.

COMPOSITE SAMPLE. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

ENVIRONMENTAL PROTECTION AGENCY (EPA). The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or

(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous onsite construction program (i) any placement, assembly, or installation of facilities or equipment; or (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

NONCONTACT COOLING WATER. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

NUISANCE. Anything which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons although the extent of the annoyance or damage inflicted upon individuals may be unequal.

SEPTIC TANK WASTES. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE. Human excrement and gray water (household showers, dishwashing operations, and the like).

SIGNIFICANT INDUSTRIAL USER. Applies to industrial users subject to categorical pretreatment standards; any other industrial user that discharges an average of 25,000 gpd or more of process wastewater, contributes a process wastestream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the treatment plant or, is designated as significant by the city on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

SLUG LOAD. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in § 50.020 of this chapter or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE. A classification pursuant to the "Standard Industrial Classification Manual" issued by the U.S. Office of Management and Budget.

STORMWATER. Any flow occurring during or following any form of natural precipitation including snowmelt.

SUSPENDED SOLIDS. The total suspended matter that floats on the surface of, or is suspended in water, wastewater, or other liquid, and which is removable by laboratory filtering.

TOXIC POLLUTANT. One of 126 pollutants, or combination by the EPA under the provision of Section 307 (33 USC 1317) of this Act.

TREATMENT PLANT EFFLUENT. Any discharge of treated wastewater from the POTW into waters of the state.

WASTEWATER. Liquid and water-carried industrial wastes, and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

WASTEWATER TREATMENT PLAN or TREATMENT PLANT. The portion of the POTW designed to provide treatment of sewage and industrial waste.

other part of the POTW. Any person found in violation of this requirement shall be subject to the enforcement actions set out in this chapter.

('63 Code, § 5-5.306) (Ord. 571-C.S., passed 6-2-94) Penalty, see § 50.999

§ 50.005 CONFIDENTIAL INFORMATION.

Information and data on an industrial user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from city inspection and sampling activities, shall be available to the public unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the city, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. When requested and demonstrated by the industrial user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information and will be available to the public without restriction.

('63 Code, § 5-5.801) (Ord. 571-C.S., passed 6-2-94)

§ 50.006 CONFLICTING PROVISIONS.

(A) All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this chapter, are hereby repealed to the extent of the inconsistency or conflict. ('63 Code, § 5-5.1503)

(B) In the event any provision of this chapter conflicts or is otherwise inconsistent with the latest edition of the Uniform Plumbing Code which has been or may be adopted by this code, the provisions of this chapter shall prevail. ('63 Code, § 5-5.1504)

(Ord. 571-C.S., passed 6-2-94)

§ 50.007 SEVERABILITY.

If any provision of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

(Ord. 571-C.S., passed 6-2-94)

(8) Any trucked or hauled pollutants, except at discharge points designated by the city in accordance with § 50.039 of this chapter.

(9) Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance and repair.

(10) Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent thereby violating the city's NPDES permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than 10% from the seasonably established norm for aquatic life.

(11) Any wastewater containing any radioactive wastes or isotopes, except as specifically approved in writing by the City Manager, in compliance with applicable state or federal regulations.

(12) Stormwater, surface water, ground water, artisan well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted industrial wastewater, unless specifically authorized in writing by the City Manager.

(13) Any sludges, screenings, or other residues from the pretreatment of industrial wastes.

(14) Any medical wastes, except as specifically authorized in writing by the City Manager in a wastewater discharge permit.

(15) Any wastewater causing the treatment plant's effluent to fail a toxicity test.

(16) Any wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the POTW.

(17) Any discharge of fats, oils, or greases of animal or vegetable origin is limited to 100 mg/l.

(18) Any discharge of petroleum/mineral oil products is limited to 25 mg/l.

(C) Wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the POTW.

0.146 mg/l silver

0.376 mg/l toluene

1.438 mg/l total chromium

0.392 mg/l total phenols

0.520 mg/l total xylenes (total xylenes is defined as the sum of ortho, para, and meta xylenes)

0.678 mg/l zinc

(B) Concentrations apply at the point where the waste is discharged to the POTW. All concentrations for metallic substances are for "total" metal, unless indicated otherwise. At his discretion, the City Manager may impose mass limitations in addition to or in place of the concentration based limitations above.

(C.) The City Manager may develop Best Management Practices (BMP), by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of sections 50.020, and 50.021 of this chapter.

('63 Code, § 5-5.203) (Ord. 571-C.S., passed 6-2-94) Penalty, see § 50.999

§ 50.023 CITY'S RIGHT OF REVISION.

The city reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW if deemed necessary to comply with the objectives and/or the general and specific prohibitions established in this chapter.

('63 Code, § 5-5.204) (Ord. 571-C.S., passed 6-2-94)

§ 50.024 SPECIAL AGREEMENT.

The city reserves the right to enter into special written agreements with industrial users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a pretreatment standard or requirement. However, the industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. They may also request a variance from the categorical pretreatment standard from EPA. Such a request will be approved only if the industrial user can prove that factors relating to its discharge are fundamentally different from the factors considered by EPA when establishing that pretreatment standard. An

may be necessary to protect the POTW and determine the industrial user's compliance with the requirements of this chapter.

(B) Each person discharging into the POTW greater than 100,000 gallons per day shall install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a 24-hour period.

(C) Grease, oil and sand interceptors shall be provided when, in the opinion of the City Manager, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the City Manager and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner at his sole expense.

(D) Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(E) At no time shall any reading on a properly calibrated combustible gas detector at the point of discharge into the POTW, or at any point in the POTW, be more than 20% of the lower explosive limit (LEL) of the meter.

('63 Code, § 5-5.302) (Ord. 571-C.S., passed 6-2-94) Penalty, see § 50.999

§ 50.037 ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS.

The City Manager may require any industrial user to develop and implement an accidental discharge/slug control plan. At least once every two years the City Manager shall evaluate whether each significant industrial user needs such a plan. Any industrial user required to develop and implement an accidental discharge/slug control plan shall submit a plan which provides, at a minimum, the following:

(A) Description of discharge practices including non-routine batch discharges.

(B) Description of stored chemicals.

(C) Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in § 50.020 of this chapter.

(D) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment,

be unlawful for any grease hauler to operate within the City limits without a current grease hauler permit.

§ 50.041 GREASE HAULER PERMIT APPLICATION

(A) *Contents.* All grease haulers required to have a grease hauler permit must submit a completed permit application. Incomplete or inaccurate applications will not be processed and will be returned to the grease hauler for revision.

(B) *Application signatories and certification.* All grease hauler permit applications and grease hauler reports must contain the certification statement, described in Section 50.052 (B) of this chapter, and be signed by an authorized representative of the grease hauler.

(C) The City Manager will evaluate the data furnished by the grease hauler and may require additional information. Within 45 days of receipt of a complete grease hauler permit application, the City Manager will determine whether or not to issue a grease hauler permit. If no determination is made within this time period, the application will be deemed denied. The City Manager may deny any application for a grease hauler permit based on insufficient information or information indicating a risk to the City's POTW might result from the activity as proposed.

§ 50.042 GREASE HAULER PERMIT REISSUANCE

(A) Grease hauler permits shall be valid for a period of two (2) years and will expire two years from the date of issuance.

(B) A grease hauler shall apply for permit renewal by submitting a complete grease hauler permit application in accordance with §50.040 of this chapter a minimum of 45 days prior to the expiration of the grease waste hauler's existing grease hauler permit.

§ 50.043 GREASE HAULER PERMIT CONTENTS

Grease hauler permits shall include such conditions as are reasonably deemed necessary by the City Manager to ensure that the collection of waste kitchen grease within the City limits is being conducted in accordance with applicable federal state and local laws. At a minimum, the grease hauler permits shall contain the following conditions:

(A) A statement that indicates grease hauler permit issuance and expiration date.

(B) The filing of a request by the permittee for a grease hauler permit modification does not stay any grease hauler permit condition.

§ 50.046 REVOCATION OF PERMIT.

(A) Grease hauler permits may be revoked for the following reasons:

(1) Misrepresentation or failure to fully disclose all relevant facts in the grease hauler permit application;

(2) Falsifying reports;

(3) Failure to pay fines;

(4) Failure to meet compliance schedules;

(5) Failure to complete a grease hauler survey or the grease hauler permit application.

(6) Failure to provide advance notice of the transfer of a permitted facility;

(7) Violation of any pretreatment standard or requirement, or any terms of the grease hauler permit or this ordinance.

(B) Grease hauler permits are nontransferable, and shall be voidable upon nonuse, cessation of operations, or transfer of business ownership. All grease hauler permits are void upon the issuance of a new grease hauler permit.

WASTEWATER DISCHARGE PERMIT

§ 50.050 WASTEWATER SURVEY.

When requested by the City Manager, all industrial users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The City Manager is authorized to prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the industrial user and shall be considered a violation of this chapter, or for imposing penalties as set out in section 50.999 below.

§ 50.052 WASTEWATER DISCHARGE PERMIT APPLICATION.

(A) *Contents.* All industrial users required to have a wastewater discharge permit must submit a completed wastewater discharge permit application. The City Manager shall approve a form to be used as a permit application. Incomplete or inaccurate applications will not be processed and will be returned to the industrial user for revision. ('63 Code, § 5-5.406)

(B) *Application signatories and certification.* All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(C) *Misleading, incomplete or false information.* Any application submitted with information that is at any time determined to be materially misleading, incomplete or false may result in termination of the permit, disconnection of service, penalties under this chapter, as well as any other remedies provided by law.

('63 Code, § 5-5.407)

(Ord. 571-C.S., passed 6-2-94)

§ 50.053 WASTEWATER DISCHARGE PERMIT DECISIONS.

The City Manager will evaluate the data furnished by the industrial user and may require additional information. Within 45 days of receipt of a complete wastewater discharge permit application, the City Manager will determine whether or not to issue a wastewater discharge permit. If no determination is made within this time period, the application will be deemed denied. The City Manager may deny any application for a wastewater discharge permit.

('63 Code, § 5-5.408) (Ord. 571-C.S., passed 7-2-94)

(B) Wastewater discharge permits may contain, but need not be limited to the following:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.

(2) Limits on instantaneous, daily and monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.

(3) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.

(4) Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.

(5) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.

(6) The unit charge or schedule of industrial user charges and fees for the management of the wastewater discharged to the POTW.

(7) Requirements for installation and maintenance of inspection and sampling facilities and equipment.

(8) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the wastewater discharge permit.

(9) Other conditions as deemed appropriate by the City Manager to ensure compliance with this chapter, and state and federal laws, rules, and regulations.

('63 Code, § 5-5.502) (Ord. 571-C.S., passed 6-2-94)

§ 50.056 APPEALS.

Any person, including the industrial user, may petition the city to reconsider the terms of a wastewater discharge permit within ten days of its issuance.

(A) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.

(8) To correct typographical or other errors in the wastewater discharge permit;

(9) To reflect a transfer of the facility ownership and/or operation to a new owner/operator.

(B) The filing of a request by the permittee for a wastewater discharge permit modification does not stay any wastewater discharge permit condition.

('63 Code, § 5-5.504) (Ord. 571-C.S., passed 6-2-94)

§50.058 TRANSFER OF PERMIT.

(A) Wastewater discharge permits may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least 30 days advance notice to the City Manager and the City Manager approves in writing to the wastewater discharge permit transfer. The notice to the City Manager must include a written certification by the new owner and/or operator which:

(1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes.

(2) Identifies the specific date on which the transfer is to occur.

(3) Acknowledges full responsibility for complying with the existing wastewater discharge permit.

(B) Failure to provide advance notice of a transfer renders the wastewater discharge permit voidable on the date of facility transfer.

('63 Code, § 5-5.505) (Ord. 571-C.S., passed 6-2-94)

§ 50.059 REVOCATION OF PERMIT.

(A) Wastewater discharge permits may be revoked for the following reasons:

(1) Failure to notify the city of significant changes to the wastewater prior to the changed discharge;

(2) Failure to provide notification to the city of changed condition pursuant to § 50.074 of this chapter;

(3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

(B) The industrial user shall submit the information required by this section including:

(1) *Identifying information.* The name and address of the facility including the name of the operator and owners.

(2) *Wastewater discharge permits.* A list of any environmental control wastewater discharge permits held by or for the facility.

(3) *Description of operations.* A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(4) *Flow measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(5) *Measurement of pollutants.*

(a) Identify the categorical pretreatment standards applicable to each regulated process.

(b) Submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the standard or by the city) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long-term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operation and shall be analyzed in accordance with procedures set out in § 50.080 of this chapter.

(c) Sampling must be performed in accordance with procedures set out in § 50.079(A) of this chapter.

(6) *Certification.* A statement reviewed by the industrial user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirement.

(7) *Compliance schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out § 50.052(A)(14) of this chapter.

§ 50.073 PERIODIC COMPLIANCE REPORTS.

(A) Any significant industrial user subject to a pretreatment standard shall, at a frequency determined by the City Manager, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with § 50.052(B) of this chapter.

(B) All wastewater samples must be representative of the industrial user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge.

(C) If an industrial user subject to the reporting requirement in and of this section monitors any pollutant more frequently than required by the POTW, using the procedure prescribed in § 50.079(A) of this chapter, the results of this monitoring shall be included in the report.

('63 Code, § 5-5.604) (Ord. 571-C.S., passed 6-2-94)

§ 50.074 REPORTS OF CHANGED CONDITIONS.

Each industrial user is required to notify the City Manager of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least 45 days before the change.

(A) The City Manager may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.

(B) No industrial user shall implement the planned changed conditions until and unless the City Manager has responded to the industrial user's notice.

(C) For purposes of this requirement, flow increases of 10% or greater, and the discharge of any previously unreported pollutants, shall be deemed significant.

('63 Code, § 5-5.605) (Ord. 571-C.S., passed 6-2-94) Penalty, see § 50.999

violation. The industrial user is not required to resample if the POTW performs monitoring at the industrial user's at least once a month, or if the POTW performs sampling between the industrial user's initial sampling and when the industrial user receives the results of this sampling.

('63 Code, § 5-5.608) (Ord. 571-C.S., passed 6-2-94)

§ 50.078 NOTIFICATION OF THE DISCHARGE OF HAZARDOUS WASTE.

(A) Any industrial user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the names of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than ten kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent information is known and readily available to the industrial users: an identification of the hazardous constituents contained in the wastes, an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 30 days after the discharge commences. Any notification under this division (A) need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under § 50.074 of this chapter. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of §§ 50.070, 50.072 and 50.073 of this chapter.

(B) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(C) In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(D) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State Law.

('63 Code, § 5-5.609) (Ord. 571-C.S., passed 6-2-94)

(B) *Determination of noncompliance.* The City Manager may use a grab samples to determine noncompliance with pretreatment standards. ('63 Code, § 5-5.612)

(Ord. 571-C.S., passed 6-2-94)

§ 50.081 RECORD KEEPING.

Industrial users shall retain, and make available for inspection and copying, all records and information required to be retained under this chapter. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning compliance with this chapter, or where the industrial user has been specifically notified of a longer retention period by the City Manager.

('63 Code, § 5-5.613) (Ord. 571-C.S., passed 6-2-94)

CONNECTIONS TO POTW

§ 50.090 PERMITS REQUIRED.

(A) No person shall uncover, make any connections with or opening into, use, alter, or disturb any portion of the POTW or appurtenance thereof without first obtaining a permit from the Building Official in accordance with the provisions of the Uniform Plumbing Code adopted by § 150.023. ('63 Code, § 5-5.1601)

(B) All excavations for building sewers in public streets and easements shall require a permit from the city pursuant to the provisions of §§ 98.15 - 98.20 of this code, in addition to the permit required by the provisions of this chapter. ('63 Code, § 5-5.1602)

(Ord. 571-C.S., passed 6-2-94) Penalty, see § 50.999

§ 50.091 CONNECTION FEES AND INSTALLATION CHARGES.

(A) *Connection fees.* Any person, prior to connecting a building sewer to the POTW, shall be required to pay a connection charge in addition to any other charges and fees required by the provisions of the Uniform Plumbing Code and this chapter. The connection charge for such parcels shall be \$2,000 for each separate and individual connection.

(B) *Installation charge.*

the main extension, plus 20% for general overhead, but excluding the cost of over-sizing sewer mains for the general benefit of the sewer collection system, but in no event shall the charge be less than \$500.

(2) In lieu of the advance required by the provisions of this division (A), the City Manager may require applicants for new sewer connections to make such sewer connections at their own expense in accordance with such standards as have been or may be adopted by resolution of the Council. In such instances, all labor, materials, equipment, and other items necessary for such connections shall be furnished by the applicants.

(3) In cases where a property is connected to the POTW indirectly via connection to another property's lateral ("cross-connected sewer lateral"), the City Manager may order the owner of the property to go through the process set out in part one above and complete the installation of a separate connection. This process shall be required when, in the professional opinion of the City Manager and his public works professionals, a modern direct connection is necessary to prevent backups, overflows, update decayed or vulnerable lateral lines, or presents any other threat to the health and safety of the immediately adjacent properties, neighborhood, or POTW.

('63 Code, § 5-5.1701)

(B) *Extensions by the applicant.* In lieu of the advances required by the provisions of division (A) of this section, the City Manager may require applicants for new sewer connections to make such sewer main extensions at their own expense in accordance with such standards as have been or may be adopted by resolution of the Council. In such instances, all labor, materials, equipment, and other items necessary for the extension shall be furnished by the applicant. Any extra costs incurred by the applicant in any over-sizing of sewer mains required by the City Manager for the general benefit of the sewer collection system may be reimbursed by the city in accordance with a written agreement with the applicant entered into prior to the construction of such main extension. ('63 Code, § 5-5.1702)

(C) *Low-pressure sewer manifold agreements.* The Director of Public Works, where it is determined the installation of low-pressure sewer manifold system is necessary to provide sewer service to a specific area, shall establish a reimbursement agreement to provide for the design and installation of said system. The reimbursement agreement shall require a surcharge be assessed to each parcel connecting to the manifold system. The surcharge shall consist of an equal portion of the estimated costs to design and install the total system main extension. The surcharge shall be based on a review and agreement prepared by the Director of Public Works prior to the installation of the system. Services (laterals) off the main will be at each parcel owner's expense. ('63 Code, § 5-5.1703)

(Ord. 571-C.S., passed 6-2-94)

§ 50.106 PRETREATMENT CHARGES AND FEES.

The Council may adopt reasonable charges and fees for reimbursement of costs of setting up and operating the city's pretreatment program which may include:

- (A) Fees for wastewater discharge permit applications including the cost of processing such applications.
- (B) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing an industrial user's discharge, and reviewing monitoring reports submitted by the users.
- (C) Fees for reviewing and responding to accidental discharge procedures and construction.
- (D) Fees for filing appeals.
- (E) Other fees as the city may deem necessary to carry out the requirements contained in this section. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties chargeable by the city.

('63 Code, § 5-5.1501) (Ord. 571-C.S., passed 6-2-94)

§ 50.107 WASTEWATER USER CHARGES.

(A) *Classification of users.* All users shall be classified by assigning each one to a "user classification" category according to the principal activity conducted on the user's premises and based on the typical wastewater constituents and characteristics for that type of user as determined by the city. The purpose of such classification is to facilitate the regulation of wastewater discharges based on wastewater constituents and characteristics to provide an effective means of source control and to establish recovery of the city costs. ('63 Code, § 5-5.1801)

(B) *User charges.* A schedule of wastewater charges and fees shall be adopted from time to time by ordinance of the City Council. ('63 Code, § 5-5.1802)

(C) *Compliance with state regulations.* The charges and fees shall be established at a level which will enable the city to comply with any revenue requirements of the State Clean Water Grant Program, and the charges and fees shall be determined in a manner consistent with regulations of the grant program. ('63 Code, § 5-5.1803)

(D) *Special situations.* Notwithstanding any other provision of this chapter, the Council shall have the power to establish by ordinance, or by agreement with the user, the service connection charge and the monthly sewer service charges applicable to any public corporation, political subdivision, city, county, district, the state, the United States,

§ 50.109 PENALTY FOR NONPAYMENT.

If an invoice for the sewer use charge established by this chapter is unpaid 60 days after mailing, a penalty of 10% per month shall be charged, and an additional 0.5% shall be charged until the charges and penalties are paid in full.

('63 Code, § 5-5.1807) (Ord. 571-C.S., passed 6-2-94)

§ 50.110 PROPERTY LIENS FOR DELINQUENCIES.

At least every six months, the Director of Finance shall record with the county a list of all delinquent charges and the penalties thereon and shall include in each such list the amount of each charge and the penalty thereon, a description of the real property upon which the same is a lien, and the name of the city. Such list when so recorded shall have the force, effect, and priority of a judgment lien and continue for three years after the time of recording unless sooner released or otherwise discharged.

('63 Code, § 5-5.1808) (Ord. 571-C.S., passed 6-2-94)

ADMINISTRATION AND ENFORCEMENT

§ 50.120 DUTIES OF CITY MANAGER.

Except as otherwise provided in this chapter, the City Manager shall administer, implement and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the City Manager may be delegated by the City Manager to other city personnel.

('63 Code, § 5-5.102) (Ord. 571-C.S., passed 6-2-94)

§ 50.121 COMPLIANCE MONITORING.

(A) *Inspection and sampling.* The City Manager shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this chapter, and any permit or order issued hereunder, is being met and whether the industrial user is complying with all requirements thereof. Industrial users shall allow the City Manager or his representatives ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(1) Where an industrial user has security measures in force which require proper identification and clearance before entry into its premises, the industrial user shall make

(Ord. 571-C.S., passed 6-2-94)

§ 50.122 PUBLICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE.

The city shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the significant industrial users and categorical industrial users which, during the previous 12 months, were in significant non-compliance with applicable pretreatment standards and requirements. The term significant non-compliance shall mean:

(A) Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);

(B) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);

(C) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);

(D) Any discharge of pollutants that have caused imminent endangerment to the public or to the environment or has resulted in the city's exercise of its emergency authority to halt or prevent such a discharge;

(E) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(F) Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(G) Failure to accurately report noncompliance;

~~(H) Any other violation which the city determines will adversely affect the operation or implementation of the local pretreatment program.~~

continuing violation. Issuance of a compliance order shall not be a prerequisite to taking any other action against the person.

(E) *Cease and desist orders.*

(1) When the City Manager finds that a person is violating this chapter, the person's wastewater discharge permit, any order issued hereunder, or any other pretreatment standard or requirement, or that the person's past violations are likely to recur, the City Manager may issue an order to the person directing it to cease and desist all such violations and directing the person to:

(a) Immediately comply with all requirements;

(b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

(2) Issuance of a cease and desist order shall not be a prerequisite to taking any other action against the person.

(F) *Administrative fine.*

(1) Notwithstanding any other section of this chapter, any person that is found to have violated any provision of this chapter, its wastewater discharge permit, and orders issued hereunder, or any other pretreatment standard or requirement may be fined in an amount not to exceed \$1,000. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines may be assessed for each day during the period of violation.

(2) Assessments may be added to the person's next scheduled sewer service charge and the City Manager shall have such other collection remedies as may be available for other service charges and fees.

(3) Unpaid charges, fines, and penalties shall, after 60 calendar days, be assessed an additional penalty of 10% of the unpaid balance and interest shall accrue thereafter at a rate of 0.5% per month. A lien against the individual person's property will be sought for unpaid charges, fines, and penalties.

(4) Persons desiring to dispute such fines must file a written request for the City Manager to reconsider the fine along with full payment of the fine amount within 30 days of being notified of the fine. Where a request has merit, the City Manager shall convene a hearing on the matter within 30 days of receiving the request from the industrial person. In the event the person's appeal is successful, the payment together with any interest accruing thereto shall be returned to the industrial person. The city may add the costs of preparing administrative enforcement actions such as notices and orders to the fine.

(d) Refusal of reasonable access to the person's premises for the purpose of inspection, monitoring, or sampling;

(e) Violation of the pretreatment standards in §§ 50.020 through 50.025 of this chapter.

(2) Such person will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under division (C) of this section why the proposed action should not be taken.

('63 Code, §§ 5-5.1001 - 5-5.1006) (Ord. 571-C.S., passed 6-2-94)

§ 50.124 JUDICIAL ENFORCEMENT REMEDIES.

(A) *Injunctive relief.* Whenever the person has violated a pretreatment standard or requirement or continues to violate the provisions of this chapter, wastewater discharge permits or orders issued hereunder, or any other pretreatment requirement, the city may petition the Superior Court for the issuance of a temporary or permanent injunction, as may be appropriate in restraining the continuance of such violation. ('63 Code, § 5-5.1101)

(B) *Civil penalties.*

(1) Any person which has violated or continues to violate this chapter, any order, or wastewater discharge permit hereunder, or any other pretreatment standard or requirement shall be liable to the city for a maximum civil penalty of \$6,000 per violation per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(2) The city may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.

(3) When a discharge of wastes causes an obstruction, damage, or other impairment to the POTW, the city may assess a charge against the person for the cost of the work required to clean or repair the POTW and add such charge to the person's service charge.

(4) Filing a suit for civil penalties shall not be a prerequisite for taking any other action against a person.

('63 Code, § 5-5.1102)

(Ord. 571-C.S., passed 6-2-94)

(2) An upset shall constitute an affirmative defense to an action brought for non-compliance with categorical pretreatment standards if the requirements of subsection (3) of this division (A) are met.

(3) An industrial user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(a) An upset occurred and the industrial user can identify the cause(s) of the upset;

(b) The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures;

(c) The industrial user has submitted the following information to the POTW and treatment plant operator within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):

1. A description of the indirect discharge and cause of noncompliance.

2. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue.

3. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(4) In any enforcement proceeding, the industrial user seeking to establish the occurrence of an upset shall have the burden of proof.

(5) Industrial users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

(6) The industrial user shall control production or all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

('63 Code, § 5-5.1301)

(B) *Bypass.*

(1) (a) ~~BYPASS shall mean the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.~~

(Ord. 571-C.S., passed 6-2-94)

§ 50.999 PENALTY.

(A) Any person that willfully or negligently violates any provision of this chapter, any orders, or wastewater discharge permits issued hereunder, or any other pretreatment requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$500 per violation per day or imprisonment for not more than one year or both.

(B) Any person that willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$500 per violation per day or imprisonment for not more than one year. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.

(C) Any person that knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit or order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than \$500 per violation per day or imprisonment for not more than one year or both.

(D) In the event of a second conviction, a person shall be punished by a fine of not more than \$2,000 per violation per day or imprisonment for not more than two years or both.

('63 Code, § 5-5.1103) (Ord. 571-C.S., passed 6-2-94)

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the ____ day of _____, 2009, by the following vote:

AYES:	COUNCILMEMBERS
NOES:	COUNCILMEMBERS
ABSENT:	COUNCILMEMBERS
ABSTAIN:	COUNCILMEMBERS

Mike Jones, Mayor Pro Tem

Bill No. 800-C.S. Summary of Revisions

On November 13-14, 2007 the City of Eureka Pretreatment Program was audited by Tetra-tech on behalf of the Regional Water Quality Control Board (RWQCB). Deficiencies in the City Sewer use Ordinance were noted. As a result the RWQCB issued a Notice of Violation (NOV) to the City of Eureka on July 31, 2008. The Notice required that the City's Sewer Use Ordinance (SUO) be amended to correct the deficiencies.

In addition to the changes required by the NOV other changes are made based on recommendations by the City Attorney.

Changes were also made to strengthen the City of Eureka's Fats Oils and Grease program which is a component of the Sanitary Sewer Management Plan which is required by the RWQCB

A description of the changes follows;



- Section 50.002: The definition of *Authorized Representative of the Industrial User* is changed to reflect the new definition contained in the General Pretreatment Regulations (40 CFR part 403). This change is a requirement of the NOV.
- Section 50.002: The definition of *Best Management Practices* is added to reflect the addition of the definition to the General Pretreatment Regulations (40 CFR part 403). This change is a requirement of the NOV.
- Section 50.002: The definition *Grease Hauler* is added as the term is used in a new section of the Sewer Use ordinance that regulates the haulers that service grease interceptors.
- Section 50.002: The definition of *Grease Interceptor* is added to define a term which is already in use in section 50.036(C) of the SUO.
- Section 50.002: The definition of *New Source* is changed to reflect the new definition contained in the General Pretreatment Regulations (40 CFR part 403). This change is a requirement of the NOV.
- Section 50.020 (B) is changed to specify that prohibited discharges to the sanitary sewer system can not be discharged directly or indirectly. This change is based on the recommendation of the City Attorney.
- Section 50.020 (B)(7) is changed to specify that no pollutants which result in the presence of toxic gases, vapors or fumes can be discharged to the POTW in a quantity that may cause worker health and safety problems. The term acute is deleted thus making the discharge of any substance in quantities that can cause

worker health and safety problems an offense; not just acute worker health and safety problems. This change is based on response to an illicit discharge.

- Section 50.020 (B) (18) is added to limit the discharge of petroleum and mineral oil products to 25 mg/L. The limit is in an existing component of the ordinance, but was inappropriately located in the local limit section of the ordinance. This change is a requirement of the NOV.
 - Section 50.020 (B): The allowable discharge limit for arsenic is changed to correct a typographical error and reflect the limit generated in the local limit study. This change is a requirement of the NOV.
 - Section 50.020 (B): The allowable discharge limit for xylenes is changed to correct a typographical error and reflect the limit generated in the local limit study. This was a typographical error. This change is a requirement of the NOV.
 - Section 50.037 (E) is added to specify that Industrial Users may be required to include procedures for immediately notifying the POTW of any changes affecting the potential for a slug discharge. This change is a requirement of the NOV.
 - Section 50.038 is amended to clarify the responsibilities regarding wastewater discharge for tenants and property owners. This change is based on the recommendation of the City Attorney.
 - Section 50.039 is amended to clarify requirements of Hauled Wastewater Discharge permits. This change is based on the recommendation of the City Attorney.
 - Sections 50.040, through 50.046 are new sections that regulate grease haulers. The sections authorize the City of Eureka to issue permits to firms that service and clean grease interceptors in the City. The permits will require that grease haulers document and report their grease interceptor cleaning activities. This will help ensure that the servicing of grease interceptors within the City limits is being conducted adequately and in accordance with applicable laws.
 - Section 50.050 is amended to clarify that failure to complete a wastewater survey would be grounds for the imposition of penalties. This change is based on the recommendation of the City Attorney.
 - Section 50.052 (C) is added to clarify that any misleading, false or incomplete information submitted in a wastewater discharge permit application would be grounds for revocation of the permit or other penalties under the SUO. This change is based on the recommendation of the City Attorney.
-

- Section 50.055(A)(6) is added to incorporate a new Pretreatment Permit Requirement mandated under 40CFR part 403. This change is a requirement of the NOV.
 - Section 50.058 (A) is amended to clarify that approval to transfer a wastewater discharge permit must be in written form from the City Manager. This change is based on the recommendation of the City Attorney.
 - Section 50.070 (B) (5) (b) is amended to correct a typographical error. This change is a requirement of the NOV.
 - Section 50.078 (D) is added to provide clarification that the notification requirements for the discharge of hazardous waste does not create a right to discharge hazardous waste. This change is based on response to an illicit discharge.
 - Section 50.080(A) (1),(2),(3) is changed to specify that composite samples must be taken over a 24 hr period. This change is requirement of the NOV.
 - Section 50.092 is changed to provide clarification regarding sewer laterals. This change is based on the recommendation of the City Attorney.
 - Section 50.093(A)(3) is changed to allow the City, when necessary, to require property owners which have cross connected sewer laterals to make direct connects to the sanitary sewer. This change is based on the recommendation of the City Attorney.
 - Section 50.122 is changed to reflect the new definition of Significant Non-Compliance contained in the General Pretreatment Regulations (40 CFR part 403). This change is a requirement of the NOV.
 - Section 50.123 (B) is changed to incorporate the use of Consent Orders as an Administrative Enforcement Remedy. This change is a requirement of the NOV.
 - Section 50.123(C) is changed to incorporate the use of Show Cause Hearings as an Administrative Enforcement Remedy. This change is a requirement of the NOV.
 - Section 50.123(D-H) are changed to reflect the addition of Consent Orders and Show Cause Hearings. This change is a requirement of the NOV.
 - Sections 50.123 through 50.127 have been amended by changing the word “user” to “person” where ever it is found. This change is a recommendation by the City Attorney at the January 20th City Council meeting during discussion of this item.
-

AGENDA SUMMARY

RE: INTENT TO ADOPT CALPERS RETIREMENT SERVICE CREDIT RESOLUTION AND APPROVE CORRESPONDING ORGANIZATIONAL ADJUSTMENTS	For Agenda Date: FEBRUARY 3, 2009 Agenda Item No: 10
RECOMMENDATION: See Recommendations 1 through 4 in this report.	
SUMMARY OF THE ISSUE: <p>As we all know, the City of Eureka is facing yet another difficult budget year. Departments have significantly reduced their budgets once again, after already drastically reducing costs in previous years. Numerous approaches have been employed to achieve these reductions, including decreasing line item operating expenses of every kind. However, we all realize our largest expenses are associated with staffing. Therefore, as part of the adoption of the FY 08/09 budget, the City Council directed the City Manager to attain additional cost savings through reductions in personnel. These staffing reductions were to be accomplished through (1) voluntary unpaid employee furloughs; (2) CalPERS "Golden Handshakes," which involve an employee receiving additional retirement service credit in exchange for retiring earlier than they had originally planned; and (3) employee layoffs.</p> <p>Both layoffs and retirement incentives have occurred in previous budget years, but not at the magnitude of this current year. In FY 08/09, six (6) employees have opted to take voluntary unpaid furloughs effective November 1, 2008 resulting in a cost savings this fiscal year of \$27,000; and three (3) employees meet the criteria for receiving an early retirement incentive, which is the subject of this agenda summary. It is hoped that these additional cuts will offset, at least temporarily, the need for other current staff reductions.</p>	
FISCAL IMPACT: Salary savings of approximately \$49,700 annualized, \$17,570 savings for remainder of FY 08/09 assuming retirement dates of March 1, 2009. No cost for the additional retirement service credit until fiscal year 2011/12, when the CalPERS employer contribution rate will be adjusted to reflect a one-time cost of \$85,300 amortized over 20 years.	
DH SIGN: <u></u> Personnel Director	CM SIGN: <u></u> City Manager
REVIEWED BY: Finance Director City Attorney Police Chief	DATE: <u>1/28/09</u> <u>1/29/09</u> <u>1/30/09</u>
INITIALS: <u>VO/KAR</u> <u>SS/KAS</u> <u>GW/KAS</u>	
COUNCIL ACTION:	
Ordinance No.	Resolution No.

AGENDA SUMMARY
FEBRUARY 3, 2009
INTENT TO ADOPT CAL PERS SERVICE CREDIT RESOLUTION
SUMMARY OF THE ISSUE (CONT.)

PAGE 2 OF 3

The following employees are recommended to receive the CalPERS additional service credit:

<u>Position Title</u>	<u>Department</u>
Asst. Finance Director (Position to be refilled at a lower level)	Finance
Police Services Officer* (Savings to be applied to other Police Department services)	Police
Sr. Personnel Analyst (Position to be refilled at a lower level or lower salary step)	Personnel

TOTAL APPROXIMATE ANNUAL SAVINGS \$49,700.

*There are several employees in this classification, but only one employee is eligible for the early retirement incentive.

In order to reach this portion of the Council-directed savings amount of \$250,000 while also insuring that the City can continue to operate efficiently and effectively, the remainder of the savings shown above will be absorbed by organizational adjustments within the City. Toward this end, the savings from the elimination of the Police Services Officer position will be reapplied within the Police Department. Personnel will recruit to refill the vacated position at either a lower level or a lower salary step, should the existing vacancy be filled through promotion, the resulting vacancy would be filled at a lower level with no change in the number of authorized positions. Finance plans to refill the vacated position at a lower level and redistribute some duties through organizational changes. Plans include promoting existing personnel if possible and filling the one vacancy at the lowest possible level, also resulting in no change in the total number of authorized positions.

Also, in addition to the early retirement service credit, two of the three retiring employees are also being provided with two years of City-paid health insurance. The overall savings include this cost, and it is important to note that the twenty-four (24) months of paid health insurance are a finite, one-time cost. Together, both the early retirement incentives and the health insurance incentives are significantly less than the ongoing annual cost of the employees' salaries and benefits.

To begin the process to allow these three employees to receive the additional service credit in exchange for retiring early, the City is giving notice of its intention to designate another "window period" for early retirement, followed at the next Council meeting by the adoption of the formal Resolution. CalPERS requires the establishment of a "window period" of between 90 and 180 days, during which time all eligible employees in classes designated by the City as eligible for the retirement incentive must retire. For this particular designation, the window period would be February 20, 2009, through May 20, 2009, with February 20, 2009, as the earliest eligible retirement date during the window period.

AGENDA SUMMARY
FEBRUARY 3, 2009
INTENT TO ADOPT CAL PERS SERVICE CREDIT RESOLUTION
SUMMARY OF THE ISSUE (CONT.)

PAGE 3 OF 3

To be eligible for the CalPERS service credit, an employee must be a minimum of 50 years old and have at least five years of service in a CalPERS agency, such as the City of Eureka. The cost of the service credit incentive is based upon a number of factors, including the employee's age at retirement and their salary. CalPERS further requires the City keep at least "one" position permanently unfilled, thereby resulting in an overall reduction in the workforce.

There is a one-time (i.e., non-recurring) cost of granting CalPERS service credit to an eligible employee. According to CalPERS, "The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency's employer contribution rate for the fiscal year that begins *two years after the end of the designated period*." In other words, there is no fiscal impact until July 1, 2011, the beginning of the 2011/12 fiscal year.

RECOMMENDATION

Staff recommends the City Council take the following specific actions within the overall savings shown in this agenda summary:

1. Give notice of the intent to adopt the necessary CalPERS resolution for City Council approval granting two (2) years early retirement service credit; and
 2. Approve the granting of two (2) years of City-paid health insurance as an early retirement incentive to the Police Services Officer and Asst. Finance Director positions; and
 3. Authorize an exemption from the hiring freeze for the Senior Personnel Analyst (or lower level) position; and
 4. Authorize an exemption from the hiring freeze for the reclassified Finance Office Manager position (former Assistant Finance Director position) and Personnel to review, determine, and implement the appropriate reclassification of Finance Department personnel necessary to achieve the desired organizational changes. These changes will result in the same number of full-time equivalent positions, but with one (1) and possible two (2) positions being downgraded to achieve the personnel costs savings.
-

RESOLUTION NO. 2009-

**CITY COUNCIL OF THE CITY OF EUREKA
RESOLUTION TO GRANT
ANOTHER DESIGNATED PERIOD FOR
TWO YEARS ADDITIONAL SERVICE CREDIT**

WHEREAS, the City Council of the City of Eureka is a contracting Public Agency of the Public Employees' Retirement System; and

WHEREAS, said Public Agency desires to provide another designated period for Two Years Additional Service Credit, Section 20903, based on the contract amendment included in said contract which provided for Section 20903, Two Years Additional Service Credit, for eligible members;

NOW, THEREFORE, BE IT RESOLVED, that said City Council does seek to add another designated period, and does hereby authorize this Resolution, indicating a desire to add a designated period from February 20, 2009, through May 20, 2009, for eligible local miscellaneous members in the classification of Assistant Finance Director in the Finance Department; Police Services Officer in the Police Department; and Senior Personnel Analyst in the Personnel Department.

Adopted and approved at a regular meeting of the City Council of Eureka, this 17th day of February, 2009.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 17th day of February, 2009, by the following:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed: _____
By Virginia Bass, Mayor/Presiding Officer

Attest: _____
Kathleen Franco Simmons, City Clerk

Approved as to Administration:

Approved as to form:

David W. Tyson, City Manager

Sheryl Schaffner, City Attorney

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Actuarial and Employer Services Branch

Public Agency Contract Services

P.O. Box 942709

Sacramento, CA 94229-2709

**CERTIFICATION OF COMPLIANCE WITH
GOVERNMENT CODE SECTION 20903**

In accordance with Government Code Section 20903 and the contract between the Public Employees' Retirement System, the City Council of the City of Eureka hereby certifies that:

1. Because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency will be served by granting such additional service credit.
2. The added cost to the retirement fund for all eligible employees who retire during the designated window period will be included in the contracting agency's employer contribution rate for the fiscal year that begins two years after the end of the designated period.
3. It has elected to become subject to Section 20903 because of impending mandatory transfers, demotions, and layoffs that constitute at least 1 percent of the job classification, department or organizational unit, as designated by the governing body, resulting from the curtailment of, or change in the manner of performing, its services.
4. Its intention at the time Section 20903 becomes operative is to keep all vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit permanently unfilled thereby resulting in an overall reduction in the work force of such department or organizational unit.

THEREFORE, the City Council of the City of Eureka hereby elects to provide the benefits of Government Code Section 20903 to all eligible members who retire within the designated period, February 20, 2009 through May 20, 2009.

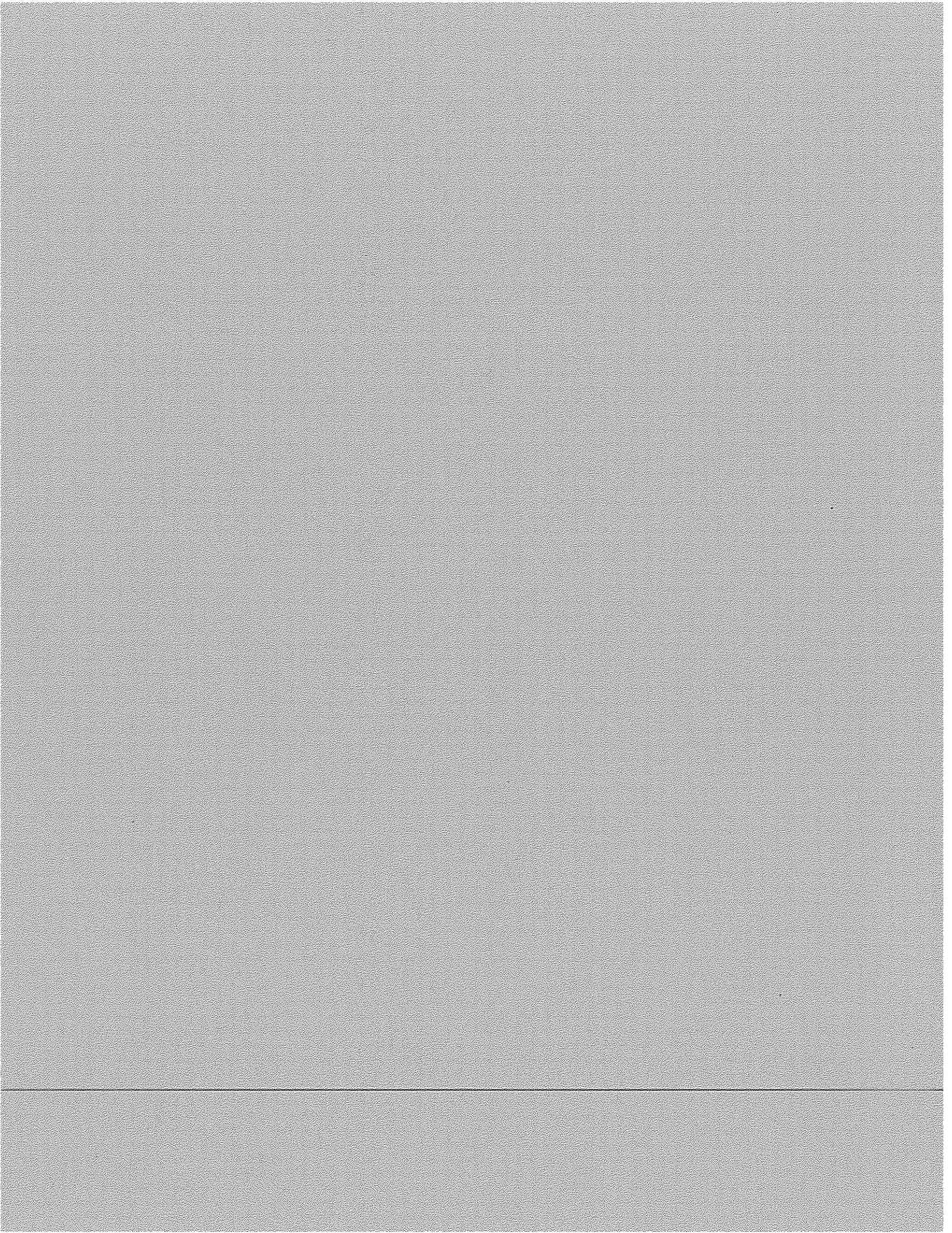
CITY COUNCIL
OF THE
CITY OF EUREKA

BY _____
Presiding Officer

Attest:

Clerk/Secretary

Date



AGENDA SUMMARY

RE: REQUEST FOR EXCEPTION TO THE
HIRING FREEZE

For Agenda Date: February 3, 2009

Agenda Item No.: 11

RECOMMENDATION:

The Engineering Department recommends that Council approve the exception to the hiring freeze for the Engineering Technician I/II position, which is already included in the FY 08/09 budget.

SUMMARY OF THE ISSUE:

With the adoption of the FY 03/04 budget, the City Council authorized a hiring freeze for all non-public safety positions. Any exceptions to the hiring freeze must be approved by the Council.

The Engineering Department requests authorization to fill the position of Engineer Technician I/II. There are currently three vacant positions in the Engineering Department as a result of employee departures and retirements. The Project Manager in Traffic and GIS Coordinator cannot fulfill the workload requirements at the current staff level. Failure to fill this position would cause current projects to be postponed and future projects to be cancelled. This position was already included in the FY 08/09 budget and is paid out of the General Fund, with 2/3 reimbursed through the City's cost allocation plan.

The Engineering Department requests Council determine whether to exempt this position from the hiring freeze and authorize it to be filled.

FISCAL IMPACT:

The cost of filling the position as an Engineering Technician I is \$54,734.82 annually (based on a Step 3 salary rate). The cost of filling the position as an Engineer Technician II is \$61,579.64 annually (based on a Step 3 salary rate), from the General Fund, with 2/3 reimbursed through the City's cost allocation plan.

DH SIGN:


Personnel Director

CM SIGN:


City Manager

REVIEWED BY:

DATE:

INITIALS:

City Attorney

27 Jan 09

SS

Finance Director

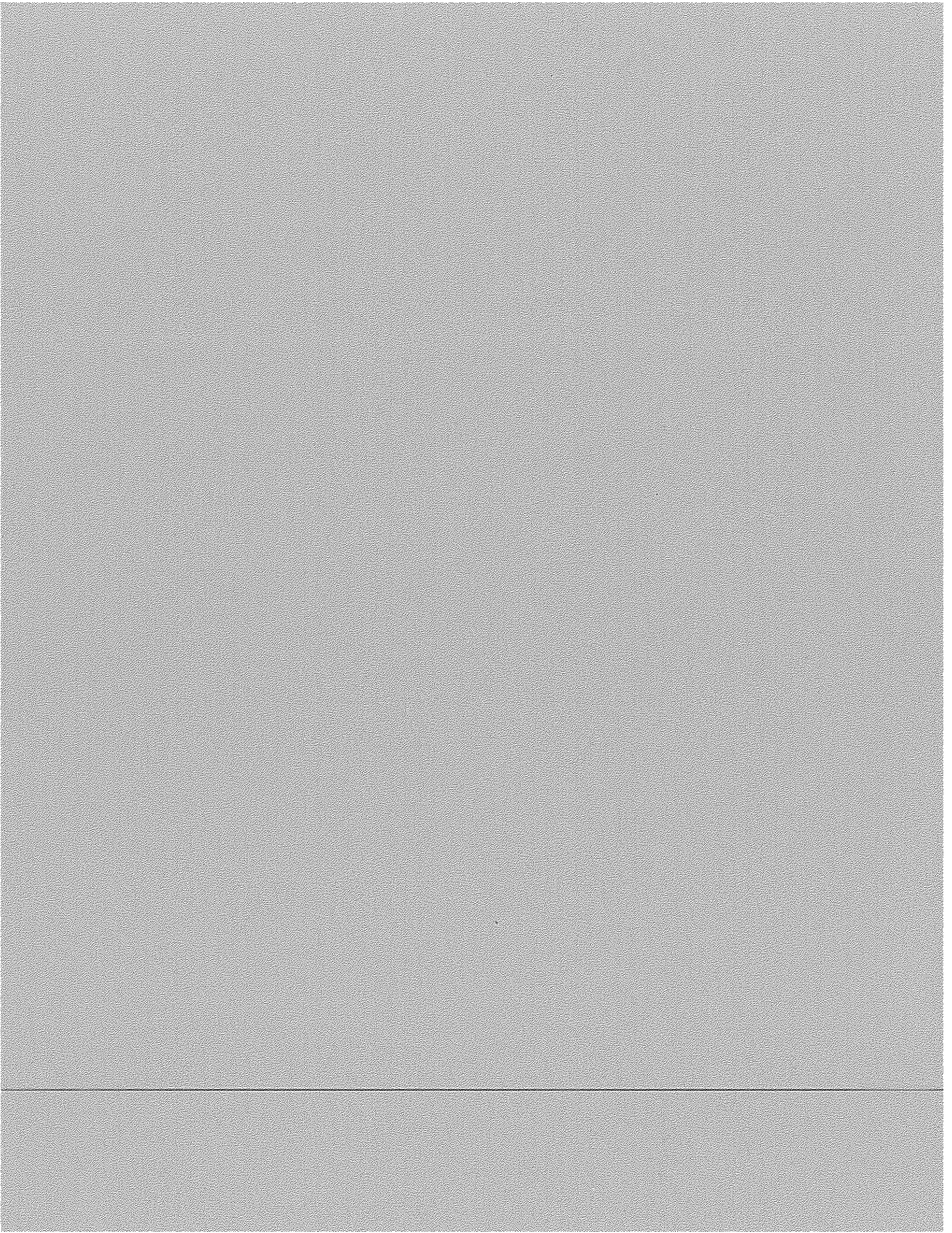
1/28/9

VW

COUNCIL ACTION:

Ordinance No.

Resolution No.





HUMBOLDT BAY MUNICIPAL WATER DISTRICT

#12

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL OFFICE@HBMWD.COM

BOARD OF DIRECTORS

KAITLIN SOPOCI-BELKNAP, PRESIDENT

ALDARON LAIRD, VICE-PRESIDENT

BARBARA HECATHORN, SECRETARY-TREASURER

BRUCE RUPP, DIRECTOR

TERA PRUCHA, DIRECTOR

January 21, 2009

GENERAL MANAGER

CAROL RISCHÉ

Mark Wheelley, Council Member; Michael Hackett, Karen Diemer and Mark Andre, City of Arcata
Karen Barnes, Council Member; Jeff Butzlaff, City of Blue Lake
Jeff Leonard, Council Member; David Tyson, and Mike Knight, City of Eureka
Jason Garlick, Board Member; Rick Hangar and Neal Carnam, Fieldbrook-Glendale CSD
Verne Frost, Board Member; Stephen Davidson, Humboldt CSD
Shelley Lima, Board Member; Chris Drop, Manila CSD
Jeff Dunk, Board Member; Tom Marking, McKinleyville CSD

Dear Water Task Force Members:

Thank you once again for attending the Water Task Force (WTF) meeting on December 1st and for providing valuable feedback on the Water Resource Planning process we initiated with you that day. The purpose of this letter is to provide a brief status report regarding the initial roll-out of this important planning process, and clarify the process by which we would like nominations for the Advisory Committee that is being formed.

Status

My Board of Directors discussed the feedback we received from you at the December 1st WTF meeting. The following summarizes the outcomes:

- Regarding the recommendation to have all seven Municipalities represented on the Advisory Committee, my Board did not feel this was necessary, and could make the committee too large to be effective. The intent is to have two Municipal Customer representatives on the Advisory Committee who would represent the Municipal Customer interests **collectively**. However, we understand and recognize the unique relationship we have with you. Given this, we propose to incorporate the Water Task Force – which has representation from all seven Municipal Customers – into this important planning process. The Water Task Force will be kept apprised, and input sought, at key points and times in this planning process. The attached schematic has been updated to reflect this, and we look forward to discussing this further with you next time we meet.
- Regarding the recommendation to include the pulp mill in this process, my Board strongly agrees. Given that several representatives on the Advisory Committee will represent the business and the economic development “community” and perspectives more generally, we have invited the mill to participate on an ongoing basis via the Water Task Force.

To date, we have completed five of the initial education/outreach briefings to other groups and solicited nominations for the Advisory Committee. These initial briefings have gone well and appear

to be having their intended outcome. We have five or six additional briefings scheduled over the next few weeks with groups from whom we are soliciting nominations for the Advisory Committee. We will also be scheduling an informational briefing for the County Board of Supervisors; the Humboldt Bay Harbor, Recreation and Conservation District, as well as several other groups, to apprise them of this important planning effort and its implications for our community.

Nomination Process

After our December 1st meeting with you, my Board clarified the process to form the Advisory Committee. They decided to create a consistent nomination process for all organizations/groups from whom nominations for the Advisory Committee are being sought. This will allow multiple nominations to be received from any respective organization/group (thereby allowing access and consideration) in a transparent, fair manner.

Therefore, we would like to more formally invite nominations from any of the Municipal Customers for the Water Resource Planning Advisory Committee. A Nomination Form is attached for your use. Your agency is free to nominate anyone you like (it does *not* have to be your Water Task Force member) and if you so desire, more than one person may be nominated. My Board will ultimately make the decision as to representatives from all organizations/groups given nominations received.

In considering nominations, please keep in mind:

- the two Municipal Customers representatives will be representing the Municipal Customer interests and perspectives **collectively** (e.g. not your individual agency's perspective as can and will be done via the Water Task Force);
- the time commitment over the next 12-15 months;
- the purpose and role of the Advisory Committee (outlined on Nomination Form); and
- the criteria for nominations (also outlined on Nomination Form).

Please submit completed nomination forms before the end of February given that we still hope to have the Advisory Committee in place in March.

Drink Local Water

Several people expressed interest in learning more about the proposed Drink Local Water pilot campaign at the December 1st Task Force meeting. Aldaron Laird (HBMWD) Mark Wheatley (City or Arcata), or their designees, are available to provide a briefing or additional information if interested. The key thing we are seeking input on in the *short-term* is whether your agency is willing to "sign on" to this during the pilot phase, and therefore, be listed on a brochure that is ready to be printed. Longer terms interests and/or direction can be considered at a later time.

And finally, if you would like us to convene a Water Task Force meeting to discuss this, or any other business such as the pulp mill, please let me know.

Sincerely,



Carol Rische
General Manager

Cc: HBMWD Board of Directors
Mary Gelinias

Humboldt Bay Municipal Water District Nomination Form for Water Resource Planning Advisory Committee

Introduction

The Humboldt Bay Municipal Water District is initiating a community-based planning process to address an important water resource issue facing HBMWD and our community. The primary purpose of the Water Resource Planning Process is to ensure that HBMWD maintains its water resource for the long-term benefit of its wholesale customers and the community. It is important to do this now due to the loss of the industrial customer base and the resulting impacts of increased customer costs and under-utilization of the District's water rights.

To help with this planning process, HBMWD's Board is forming an Advisory Committee of stakeholders to achieve the purposes noted below. The purpose of this form is to gather nominations for this committee. The HBMWD Board will select members based on the nomination criteria that are also noted below.

Significant work has already been done to set the stage for the success of this committee. The Board has defined the primary phases and desired outcomes of the planning process and developed a charter for the Advisory Committee. The Committee will be comprised of two HBMWD members, two wholesale municipal customers, and other members from various stakeholder groups. We hope to have the Advisory Committee up and running by March 2009.

Purpose of Advisory Committee

1. Educate and communicate

- Host interactive forums with other stakeholders and interested members of the public
- Gather input and feedback and hopefully, build understanding and buy-in
- Interface with HBMWD's Board and Water Task Force at key check points

2. Develop recommendations

- Understand, synthesize, and use input and feedback from stakeholders and the public
- Develop options and thoughtfully evaluate them
- Formulate recommendations for the HBMWD Board

Time Frame

The time commitment will most likely be about eight to ten hours a month between March 2009 to June 2010

Criteria for Nominations to the Advisory Committee

- Able to commit to participating in entire process
- Have some process savvy
- Interested in experimenting with more effective, innovative public processes
- Eager and able to learn about this issue and to collaborate with other committee members
- Credible across various sectors
- Able to focus on issues at hand
- Able to think about "big picture" and inter-relationships among issues

Nomination

Who Is Making the Nomination?

Nominating

Group(s)/Organization: _____

Contact Person: _____

Phone Number: _____

Email: _____

Who is the Nominee?

Name: _____

Affiliation(s): _____

Address: _____

Phone Number: _____

Email: _____

What is your rationale for nominating this person? How does he or she meet the criteria noted above? (attach additional sheets as necessary)

Humboldt Bay Municipal Water District Nomination Form for Water Resource Planning Advisory Committee

Introduction

The Humboldt Bay Municipal Water District is initiating a community-based planning process to address an important water resource issue facing HBMWD and our community. The primary purpose of the Water Resource Planning Process is to ensure that HBMWD maintains its water resource for the long-term benefit of its wholesale customers and the community. It is important to do this now due to the loss of the industrial customer base and the resulting impacts of increased customer costs and under-utilization of the District's water rights.

To help with this planning process, HBMWD's Board is forming an Advisory Committee of stakeholders to achieve the purposes noted below. The purpose of this form is to gather nominations for this committee. The HBMWD Board will select members based on the nomination criteria that are also noted below.

Significant work has already been done to set the stage for the success of this committee. The Board has defined the primary phases and desired outcomes of the planning process and developed a charter for the Advisory Committee. The Committee will be comprised of two HBMWD members, two wholesale municipal customers, and other members from various stakeholder groups. We hope to have the Advisory Committee up and running by March 2009.

Purpose of Advisory Committee

1. Educate and communicate

- Host interactive forums with other stakeholders and interested members of the public
- Gather input and feedback and hopefully, build understanding and buy-in
- Interface with HBMWD's Board and Water Task Force at key check points

2. Develop recommendations

- Understand, synthesize, and use input and feedback from stakeholders and the public
- Develop options and thoughtfully evaluate them
- Formulate recommendations for the HBMWD Board

Time Frame

The time commitment will most likely be about eight to ten hours a month between March 2009 to June 2010

Criteria for Nominations to the Advisory Committee

- Able to commit to participating in entire process
- Have some process savvy
- Interested in experimenting with more effective, innovative public processes
- Eager and able to learn about this issue and to collaborate with other committee members
- Credible across various sectors
- Able to focus on issues at hand
- Able to think about "big picture" and inter-relationships among issues

Nomination

Who Is Making the Nomination?

Nominating

Group(s)/Organization: _____

Contact Person: _____

Phone Number: _____

Email: _____

Who is the Nominee?

Name: _____

Affiliation(s): _____

Address: _____

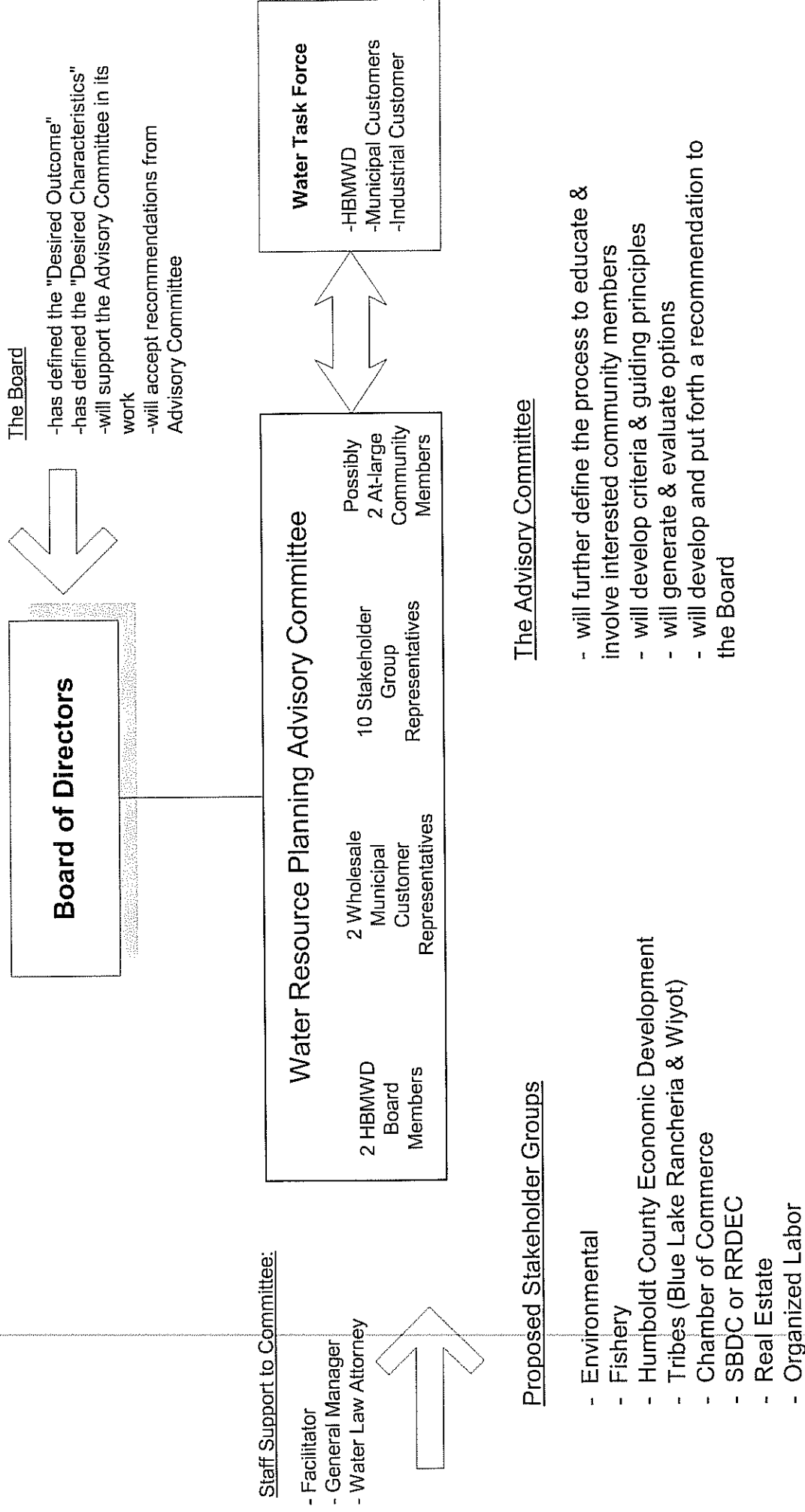
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Email: _____

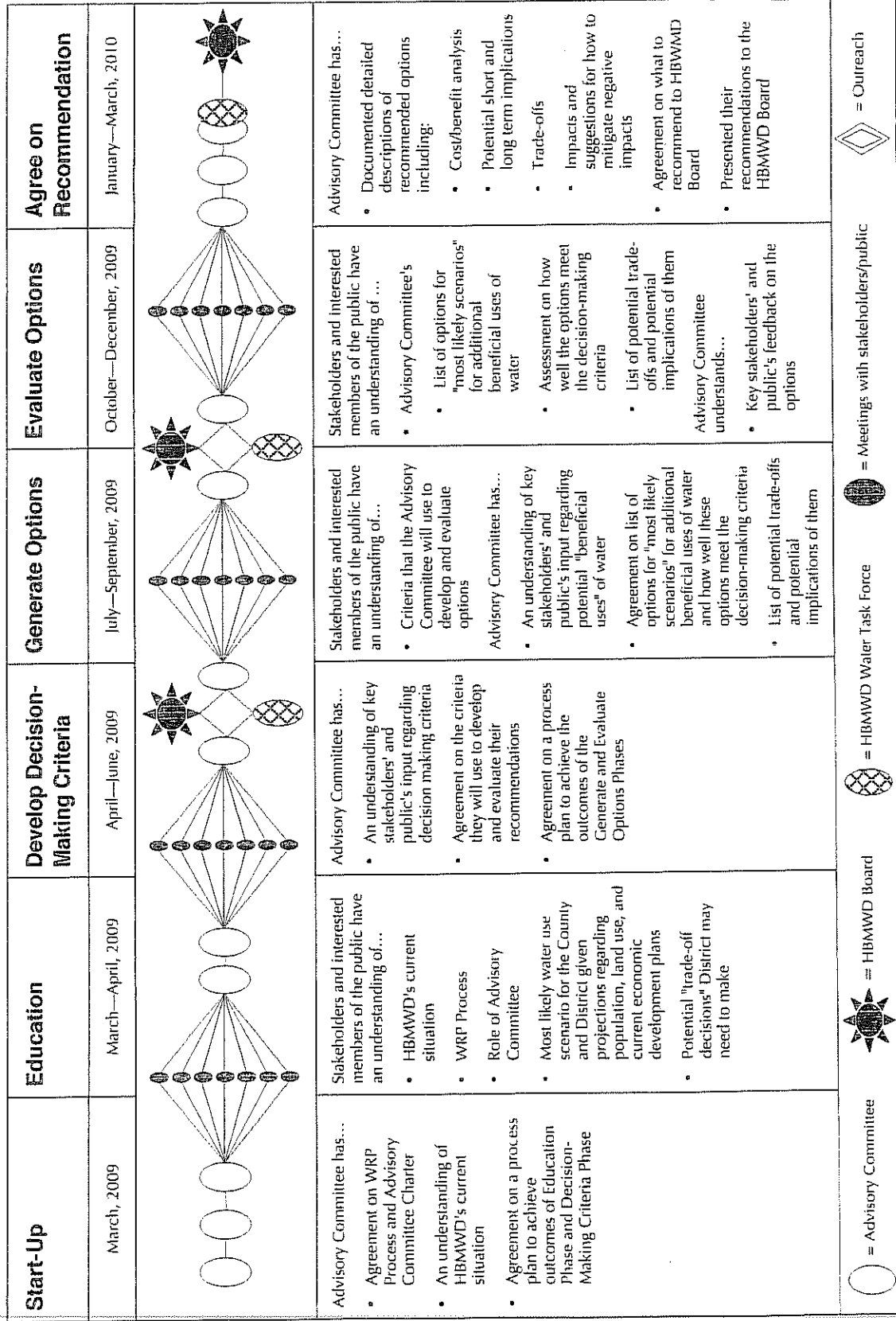
What is your rationale for nominating this person? How does he or she meet the criteria noted above? (attach additional sheets as necessary)

Humboldt Bay Municipal Water District

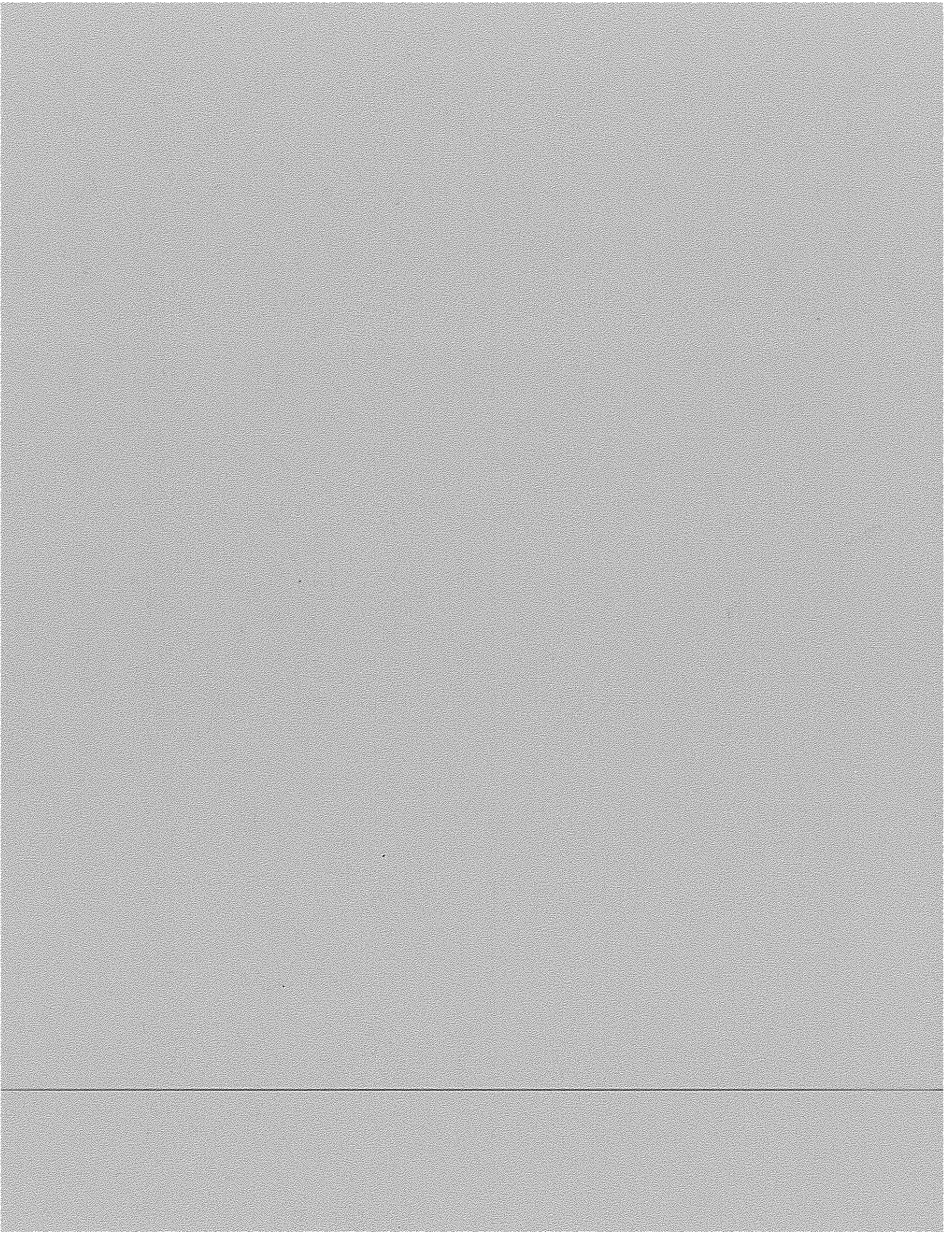
Water Resource Planning Advisory Committee



Overview of Water Resource Planning Process*



* Graphic suggests possible flow and types of activities, not the actual number, flow, or types of activities.



AGENDA SUMMARY

RE: Police Auditor

For Agenda Date: February 3, 2009

Agenda Item No.:

15

RECOMMENDATION:

Provide direction regarding retaining the services of an independent Police Auditor for the City of Eureka.

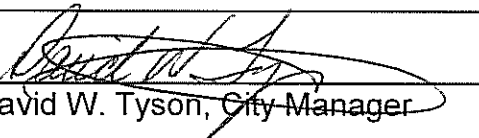
SUMMARY OF THE ISSUE:

At the City Council meetings of December 16, 2008 and January 6, 2009 the City Council had discussions regarding the services of a Police Auditor. The purpose of the Auditor would be to review investigations of citizen complaints against Police Officers and investigations which allege excessive or unnecessary force by a Police Officer, to determine if the investigation was complete, thorough, objective and fair. The Auditor would also review department policies and procedures as they become relevant in the course of accomplishing the review of these investigations. Much like an Independent Financial Auditor a Police Auditor would be responsible for providing written/oral reports to the City Council related to their scope of services.

Should the City Council wish to move forward with retaining the services of an independent Police Auditor staff recommends a contract consistent with those services contained in the attached "Scope of Services".

FISCAL IMPACT: None with the recommended action, however the fiscal impact has been estimated to be approximately \$65,000 per year. The funding source for these services would come from the City's General Fund.

CM SIGN:


David W. Tyson, City Manager

REVIEWED BY:

DATE:

INITIALS:

City Attorney

COUNCIL ACTION:

Ordinance No. _____

Resolution No. _____

City of Eureka

City of Eureka – Police Auditor Scope of Services

A. Overview

Police Auditor (Auditor) will audit various Eureka Police Department (Department) functions (as described below), review Department policies and practices, report orally to the City Council, submit written reports to the City Council through the City Manager and be accessible to the public.

B. Auditor Functions

1. **Review of Internal Investigations and Officer Involved Shootings:** The Auditor will review the following categories of materials, where the extent of each review will be commensurate with the gravity of the underlying matter:
 - a. **Review of Internal Investigation Complaints:** The Auditor will review: all Department Internal Affairs investigations involving complaints against police officers which allege excessive or unnecessary force; and some or all other Department Internal Affairs investigations, including internally initiated allegations of misconduct, against police officers to determine if the investigation was complete, thorough, objective and fair. The Auditor may attend Internal Affairs interviews of any civilian witness/complainant. At the discretion of the Police Chief, the Auditor may participate in the questioning of any such witness/complainant or may suggest questions to the Internal Affairs interviewer. The Auditor may interview any civilian witnesses or complainants in the course of his reviewing an investigation into any citizen complaint. The Auditor shall make a request, in writing, to the Police Chief for further investigation whenever the Auditor concludes that further investigation is warranted. Unless the Auditor receives a satisfactory written response from the Police Chief, the Auditor shall make a request, in writing, for further investigation to the City Manager.
 - b. **Review of Officer-Involved Shootings:** The Auditor will review each Department investigation of any officer-involved shooting (defined as when a Eureka Police Officer discharges a handgun or department issued carbine and results in the injury or death of a person) to determine if the investigation was complete, thorough, objective and fair.
2. **Review of Department Policies and Procedures:** The Auditor will review Department Policies and Procedures as they become relevant in the course of accomplishing obligations pursuant to Section 1 above or in response to a request from (1) the City Council; (2) the City Manager; or (3) the Police Chief. Such review will encompass both the efficacy of the policy as applied to the City as well as practices implemented in other agencies. The Auditor need not wait until any of the foregoing personnel matters has been investigated to respond to requests for assistance from the Chief or his designee.
3. **Independent Investigation of Citizen Complaints:** The Auditor may recommend to the City Council that an independent investigation of a citizen complaint be

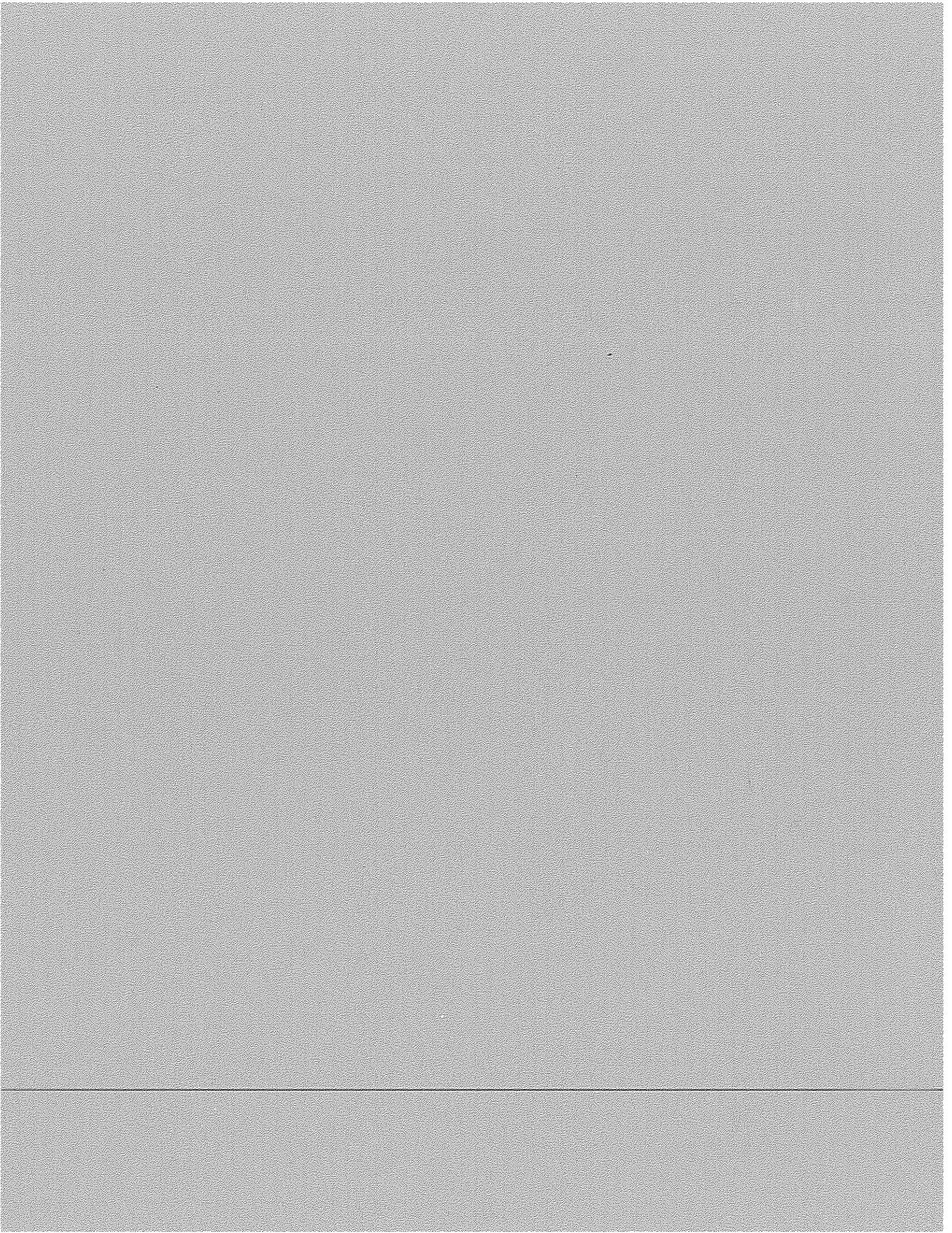
conducted. Such recommendations will be in writing and will contain the reasons supporting such a recommendation. Only citizen complaints alleging excessive use of force or violation of civil rights (State and Federal) may be the subject of such independent investigation.

4. Reports to the City Council:

- a. Reporting as requested by the City Council: In any instance that the City Council desires an oral report from the Auditor, the City Manager will contact the Auditor to arrange his attendance at and preparation for the City Council meeting.
- b. Reporting at the discretion of the Auditor: The Auditor will report to the City Council either orally or in writing at his discretion.
- c. Periodic written reports: The Auditor will render to the City Council, through the City Manager, periodic written reports covering the Auditor's activities. The parties recognize that, given the modest size of this project, such reports will be succinct and with little embellishment. It is the intention of the parties hereto that these reports will be public documents.

5. Auditor's Access to the Eureka Community: In connection with his work, the Auditor will be accessible to the Eureka community via City provided e-mail, telephone and office hours.

6. Establish Working Contacts with Eureka Police Department Line Personnel: The Auditor will make monthly interactions with patrol officers including participating in ride-alongs.



To: Members of the Eureka City Council

re: Campaign Finance Reform Town Hall Meeting

On 11/12/08, I hosted a Town Hall meeting at the Wharfinger Building to discuss potential campaign finance reform initiatives for the City of Eureka. Kathleen Franco-Simmons, the City Clerk, and Sheryl Schaffner, the City Attorney, both presented information on existing rules in the City of Eureka and reform ideas being adopted by other cities in California.

The following list of campaign reform ideas was generated during public discussion:

1. Establish a \$500 cap on individual donations to campaigns
2. Establish a true ward system where each ward elects their own representative (Elect Council Members by ward, continue to elect the Mayor at large)
3. Re-adjust ward boundaries to match precincts
4. Create Charter Review Commission
5. Eliminate wards, adopt rank choice voting for the council (proportional reps)
6. Establish a voluntary self-financing limit, or pledge
7. Public Financing for local campaigns – with voluntary expenditure caps
8. Eliminate our current Mayor (6 seats to 5). Council would appoint a Mayor
9. No contributions under assumed name, on someone's behalf – no stacking
10. More candidate forums – use Access Humboldt TV to televise add'l debates
11. Disqualify council members from voting on agenda items that involve anyone who donated over \$250 (or \$500) to their campaign
12. Establish additional local reporting requirements for 527 committees
13. Change reporting requirements for in-kind donations
14. Establish an incentivized Cap on total expenses
15. Ban lawn signs

Many of the residents who attended emphasized that campaign reforms must be even-handed, and non-discriminatory.

At this point, I recommend take some time as a council to discuss the ideas listed above (and any new ideas), and provide staff with direction on how we plan to move forward.

Thank you.

Jeff Leonard
Eureka City Council